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# LIBERTY

WASHINGTON  
D. C.

A MAGAZINE OF RELIGIOUS FREEDOM



# *Declaration*

## **INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION**

We believe in religious liberty, and hold that this God-given right is exercised at its best when there is separation between church and state.

We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights, and to rule in civil things; and that in this realm it is entitled to the respectful and willing obedience of all.

We believe in the individual's natural and inalienable right of freedom of conscience: to worship or not to worship; to profess, to practice, and to promulgate his religious beliefs, or to change them according to his conscience or opinions, holding that these are the essence of religious liberty; but that in the exercise of this right he should respect the equivalent right of others.

We believe that all legislation and other governmental acts which unite church and state are subversive of human rights, potentially persecuting in character, and opposed to the best interests of church and state; and therefore, that it is not within the province of human government to enact such legislation or perform such acts.

We believe it is our duty to use every lawful and honorable means to prevent the enactment of legislation which tends to unite church and state, and to oppose every movement toward such union, that all may enjoy the inestimable blessings of religious liberty.

We believe that these liberties are embraced in the golden rule, which teaches that a man should do to others as he would have others do to him.

INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION  
6840 Eastern Avenue, Takoma Park, Washington 12, D.C.

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VOL. 52, No. 4

# LIBERTY

WASHINGTON  
D.C.

A MAGAZINE OF RELIGIOUS FREEDOM

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THE RIGHT OF PRIVATE SCHOOLS

5 A. C. Stellhorn, Ed.D.

RELIGION IN THE SCHOOL  
CURRICULUM

10 General Assembly of the  
Presbyterian Church

*Editorial Secretary*

ELEANORE L. JACOBY

CHURCH SEMINARIES IN THE STATE  
OF UTAH

15 J. B. Currier

ROGER WILLIAMS AND RHODE  
ISLAND'S CONTRIBUTION TO  
DEMOCRACY

17 Carl R. Woodward, Ph.D.

AMERICA'S SILENT REVOLUTION

20 C. Stanley Lowell, M.A., D.D.

THE FRUITS OF FREEDOM

24 Harriett P. Crank

AS THE EDITORS SEE IT

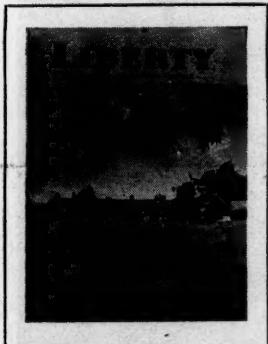
26

IT SO HAPPENED

32

SEPARATION

35



**OUR COVER PICTURE:** In the nation's capital one of the most interesting developments over a period of years on Mount St. Albans is the majestic Washington Episcopal Cathedral. Its spacious grounds and architectural splendor attract hundreds of thousands of visitors annually. One of the most important factors in this great ecclesiastical center is its efficient education institutions, which reflect a firm belief that a Christian education is essential to a fuller development toward the more abundant life. This can be achieved in its fullness only in a Christian context. The picture on our cover shows the boys' school, St. Albans, with an enrollment of four hundred and nearly as many more applicants awaiting admission. On the grounds is also a separate girls' school, and an elementary school, all operated as church schools.

COLOR PHOTO BY J. BYRON LOGAN

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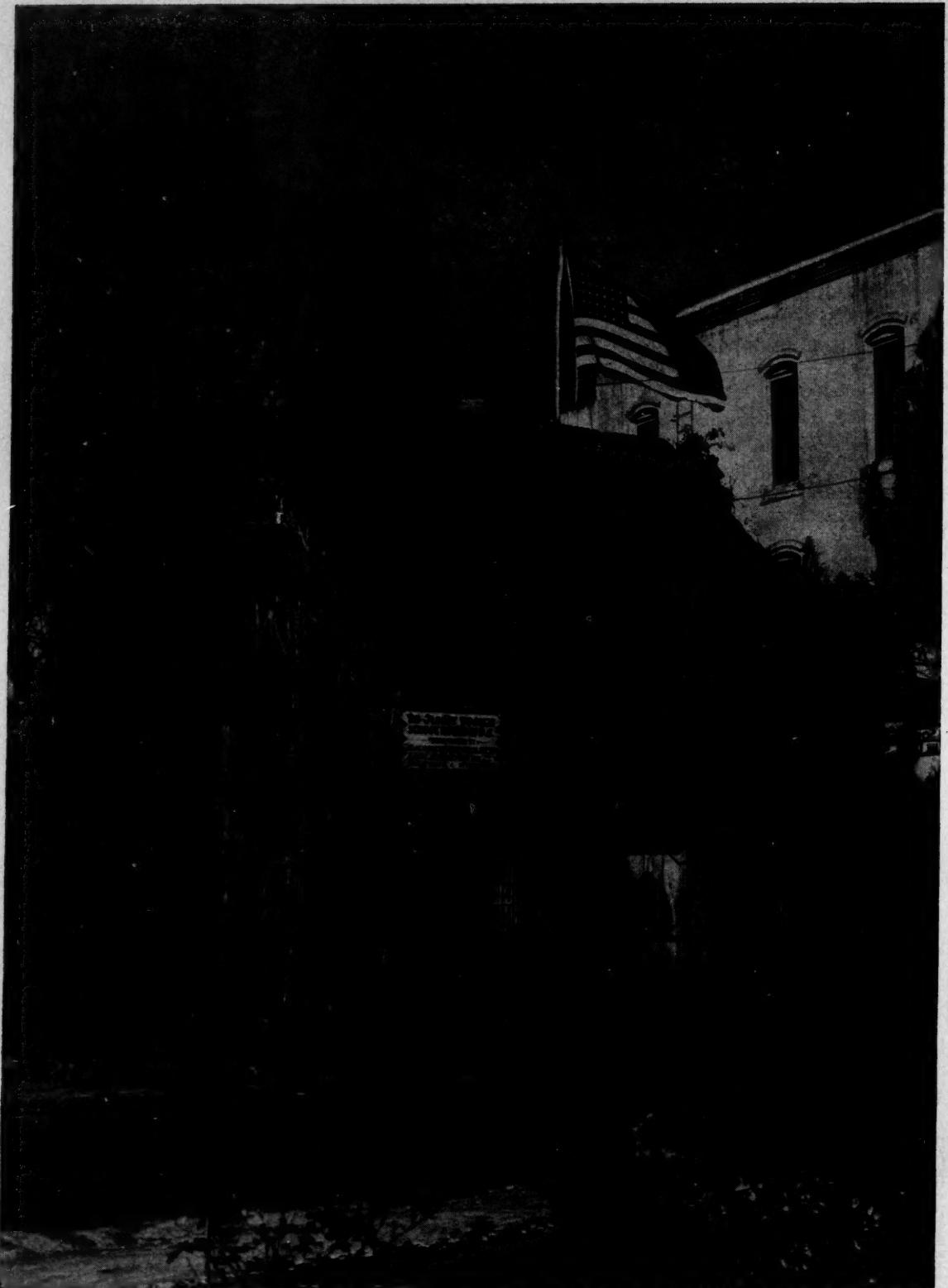
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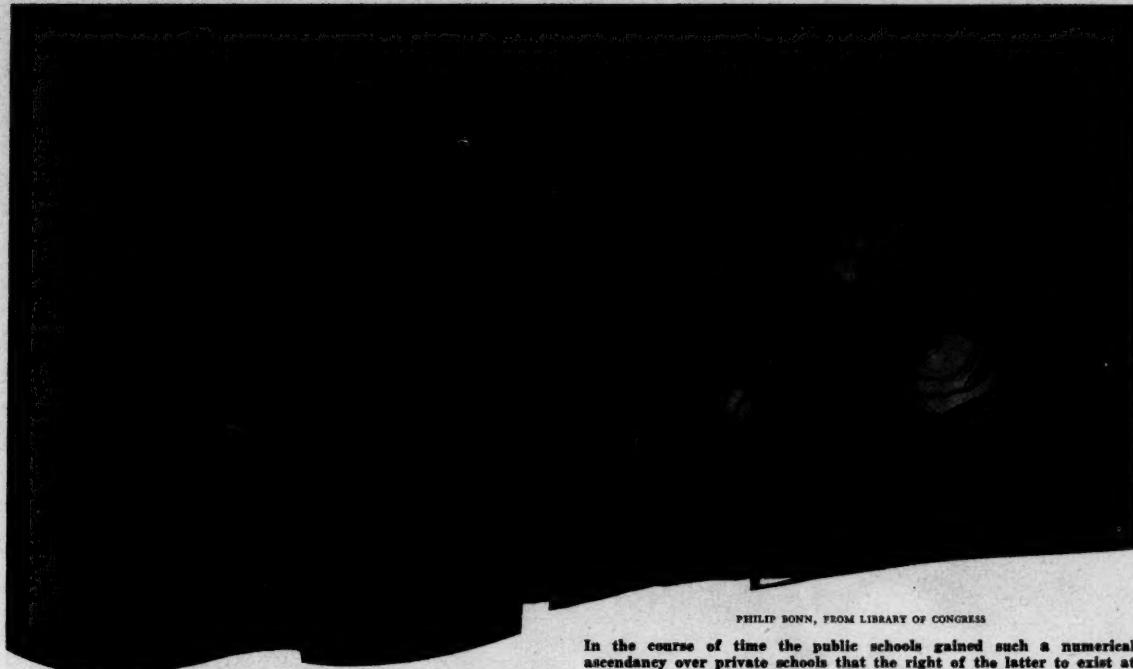
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**THE INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION,** organized in 1888, teaches only one doctrine—the doctrine of soul liberty, as indicated in the Declaration of Principles on the preceding page. The Association advocates no political or economic theories. Its officers are Alvin W. Johnson, Ph.D., secretary, and Aubrey H. Rulkoetter, Ph.D., Frank H. Yost, Ph.D., associate secretaries.



D. W. CORSON, FROM A. DEVANEY

This hand-hewn cedar clapboard structure stands today in the nation's oldest city, St. Augustine, Florida,  
as a reminder of education in the sixteenth century.



PHILIP BONN, FROM LIBRARY OF CONGRESS

In the course of time the public schools gained such a numerical ascendancy over private schools that the right of the latter to exist at all was questioned or denied by many Americans.

## The Right of Private Schools

By A. C. STELLHORN, Ed.D.

[We asked Dr. Stellhorn, superintendent of schools for the Missouri Synod of the Lutheran Church, to present to the readers of LIBERTY: A Magazine of Religious Freedom the right of church-related schools to exist in the United States, and their program. We like what he has done.—Ed.]

**I**N CONSIDERING THIS SUBJECT, we should be clear on the term "private schools." Our laws commonly refer to "public, private, and parochial schools." As a matter of convenience, we shall here use the term "private schools" in the sense of all nonpublic schools—schools not supported by public taxation, but maintained by individuals, associations, or churches.

### Historical Development of American Schools

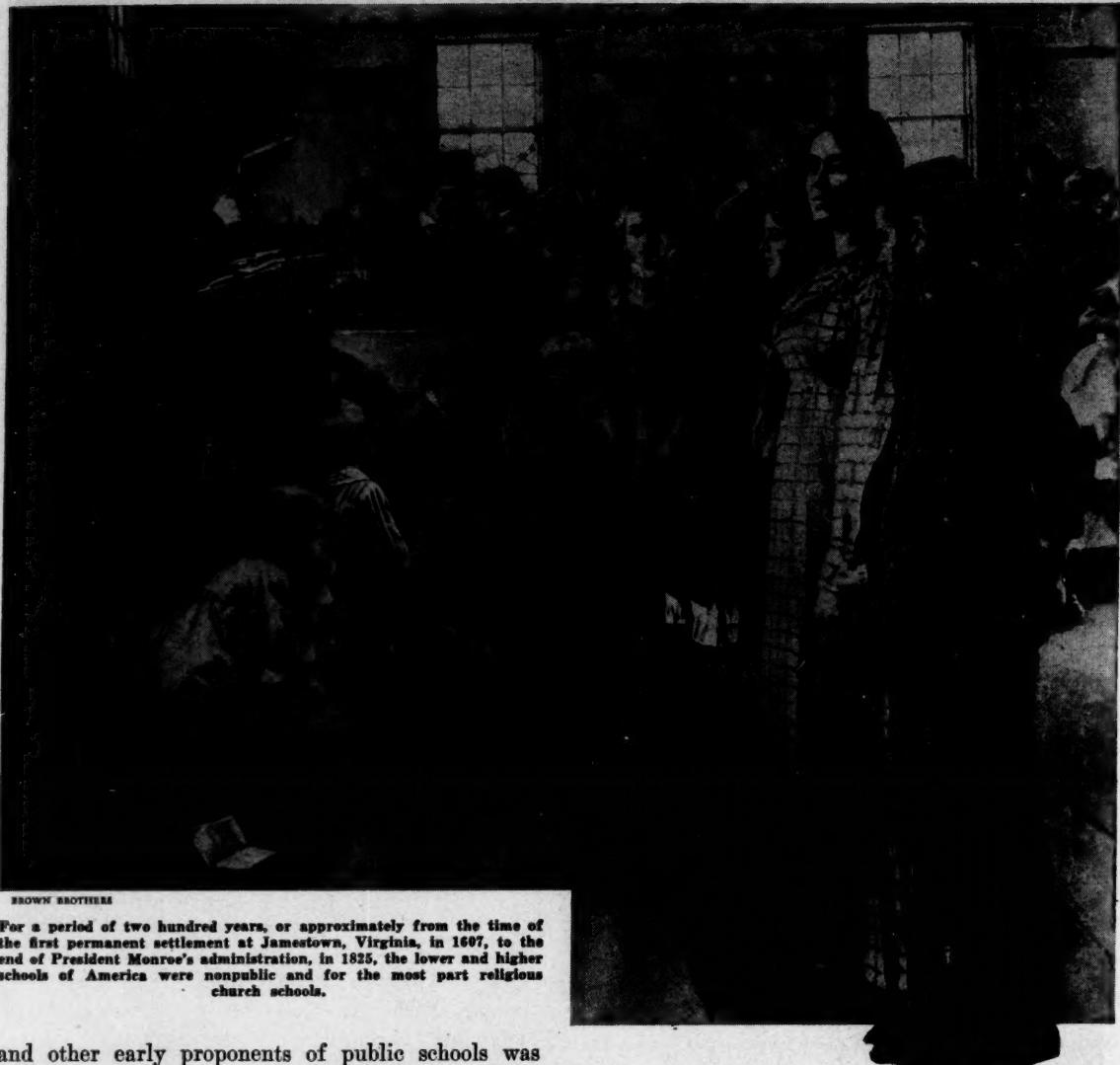
For a period of two hundred years, or approximately from the time of the first permanent settlement at Jamestown, Virginia, in 1607, to the end of President James Monroe's administration in 1825, the lower and higher schools of America were non-public and for the most part religious church schools. It is true, some of the Colonial governments in time encouraged and even demanded the maintenance of schools, but did not finance or operate them. So also

did the Continental Congress. In its famous Ordinance of 1787 for the Northwest Territory (Ohio, Indiana, Michigan, et cetera), it encouraged the religious private schools of the day, saying,

Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

Sunday schools, which in England taught principally the rudiments of a general education, were then no factor in America. Tax-supported public schools also came later. They were gradually introduced during the second quarter of the nineteenth century, 1825-1850. Before their advent the Revolutionary War had become history. The Federal Government had been operating for thirty-six years, and the administrations of George Washington, John Adams, Thomas Jefferson, James Madison, and James Monroe had been completed.

Historically, then, private schools had priority over public schools as American educational agencies. Nor were public schools established to replace them, but rather to provide for children not reached by the private schools. The first concern of Horace Mann



BROWN BROTHERS

For a period of two hundred years, or approximately from the time of the first permanent settlement at Jamestown, Virginia, in 1607, to the end of President Monroe's administration, in 1825, the lower and higher schools of America were nonpublic and for the most part religious church schools.

and other early proponents of public schools was that all children might have a school, and that the school be free (to parents). Private schools charged tuition. Their supporters, no doubt, freely invited and urged all children to attend, but there was much poverty, a diversity of religious faith, no compulsory school attendance, and often no school in sparsely settled areas. As a result, too many children grew up without a formal education.

The religious school was so common, religion so much the primary concern in education, that Horace Mann and others would hardly have thought of excluding it from the curriculum. They evidently had in mind a religious public school system, for they are said to have derived their principles chiefly from the public school system of Germany, which was religious. The American educational philosophy of that day, with religion and religious morality at its center, had to be observed.

Therefore, many churches, finding it financially

advantageous, gave up their schools, and depended upon the Sunday school when religion came to be barred from the public schools. This was a gradual process. Other churches and religious school associations continued their schools, and often were criticized for it. But the fact is, they merely adhered to the former American philosophy of education for themselves, while at the same time supporting the public school system for the sake of a general education of all children.

#### The Climax in the Development

In the course of time the public schools gained such a numerical ascendancy over private schools that the right of the latter to exist at all was questioned or denied by many Americans. Organized attempts to abolish private schools, especially in the

early twenties, culminated in an Oregon law that required all children between eight and sixteen years of age to attend the public schools. But, thanks to our American principles of freedom and justice, the law was declared unconstitutional, first by a Federal district court, and then by the United States Supreme Court. The latter held that—

The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.—*Pierce v. Society of Sisters* (268 U.S. 510).

The legitimate place of the nonpublic school in

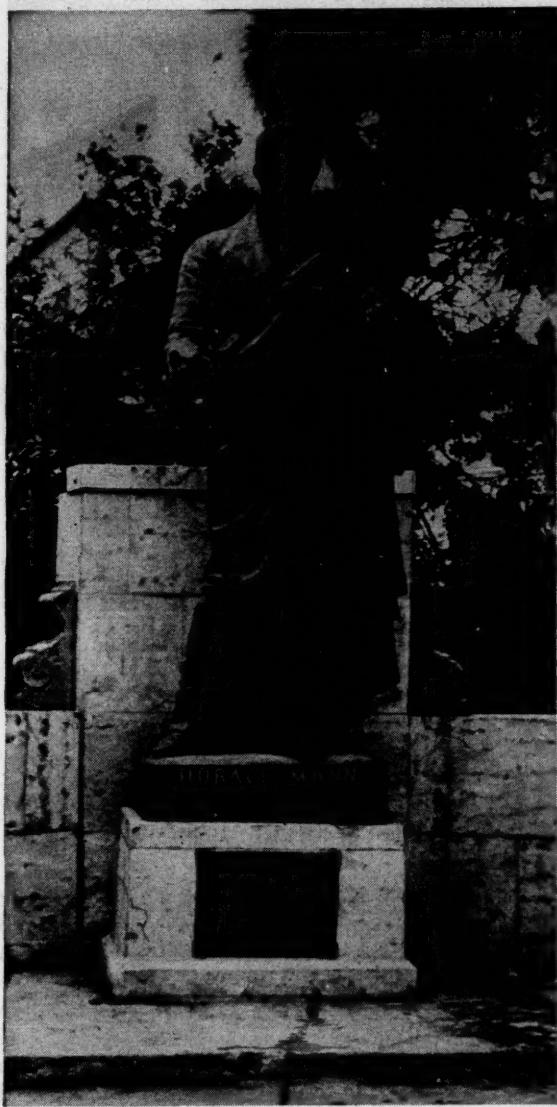


PHOTO BY RACHEAL THURSTON

The religious school was so common, religion so much the primary concern in education, that Horace Mann and others would hardly have thought of excluding it from the curriculum.

our American educational endeavor was thus reaffirmed, and is now generally recognized. Still, for the encouragement of private-school supporters and the enlightenment of others, it is well occasionally to restate the case for the private school, since the adverse sentiment that led to the Oregon law continues to a degree, and crops out at times in the form of just or unjust criticism. The Office of Education in Washington and public-school people in general are on the whole friendly toward the private school, and occasionally speak and write in its favor, while church people are sometimes the most vocal opponents.

### The Prevalence of Private Schools

The Office of Education in Washington estimates that about 13 per cent of the nation's children of elementary and secondary school age are currently enrolled in private and parochial schools, and that probably 90 per cent of these schools are Roman Catholic (*School Life*, October, 1956). If correct, this estimate would give Catholic schools an enrollment of 4,369,950 and all other private and parochial schools 485,550. A considerable percentage of the latter would be Protestant religious schools. Not counted here are public and nonpublic institutional, commercial, and other special schools, or any colleges and universities.

### Why Nonpublic Schools?

The simplest explanation for the maintenance of nonpublic schools is that they can provide an education public schools cannot provide, especially in religion. With the Supreme Court, millions of American citizens believe strongly that they "have the right, coupled with the high duty, to recognize and prepare the child for additional obligations," chiefly his obligations to God. They demonstrate their strong belief by an annual expenditure of about a billion dollars, in addition to paying their taxes for public education. With the recent Commissioner of Education Samuel M. Brownell and some former commissioners, they believe that private and parochial schools are an asset to America and to public education. Authorities have declared tax exemption a profitable inducement to them, not a form of state aid.

But, more specifically, why the Christian school? Because Christians are not only loyal citizens of the state but also loyal citizens of Christ's kingdom of heaven, and they feel obligated to prepare their children well for this twofold citizenship. Christ's kingdom is not of this world in the sense of being another civil government. It does not run competition to the state.

Schools are needed for the proper education of Christians. It is true the public school provides a general education, but under the law it is prevented



J. SCAYLEA, FROM A. DEVANEY

The heart of the Christian school is its daily, thorough course in religion which the parents of the children and their particular churches believe and confess.

from making its education Christian, most of all from meeting the creedal requirements of parents and churches. It has been largely secularized. Dean James A. Pike, of St. John the Divine Cathedral, in New York, Bernard Iddings Bell, and others have expressed themselves on that subject. Pike says:

Many of our public school teachers are very pious Christians, active in our several churches. But if, in fact, man's concerns are considered all week long in the narrow frame of material and human meaning and values, with no place for the eternal and supernatural dimension, with no place for the categories of creation, sin, judgment, grace, and life everlasting, then secularism has been inculcated—not always intentionally, but in any event by default . . . but the unconscious and unheralded communication of the secularist faith is as insidious a mode of communicating it as any secularist could himself devise.—Address on "The Task Which the Secularization of the Public Schools Presents to the Church," May 22, 1951.

Bell has said:

If a child is taught in school about a vast number of things . . . and if matters of religion are never seriously treated, the child can only come to view religion as, at best, an innocuous pastime preferred by a few.—*Life*, Oct. 16, 1950.

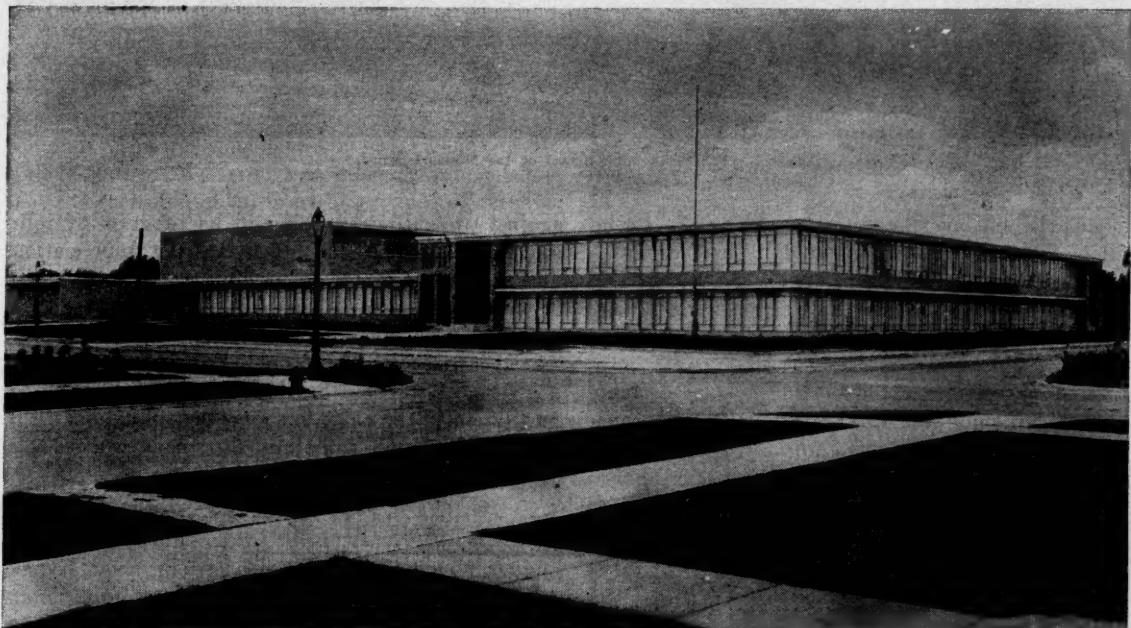
Christian schools are needed. It is futile and wrong in principle to argue that home and church should supply the necessary religious training. True, even those churches that maintain their own schools have 50 per cent or more, mostly more, of their children attending the public schools, and they are receiving their religious education on the side. But, while no doubt much good results from the combination of public school and Sunday school, and while in many cases nothing superior can be had, the full-time Christian schools are urged on the ground that the

combination has generally proved unsatisfactory. Hence also the great expenditure for full-time schools.

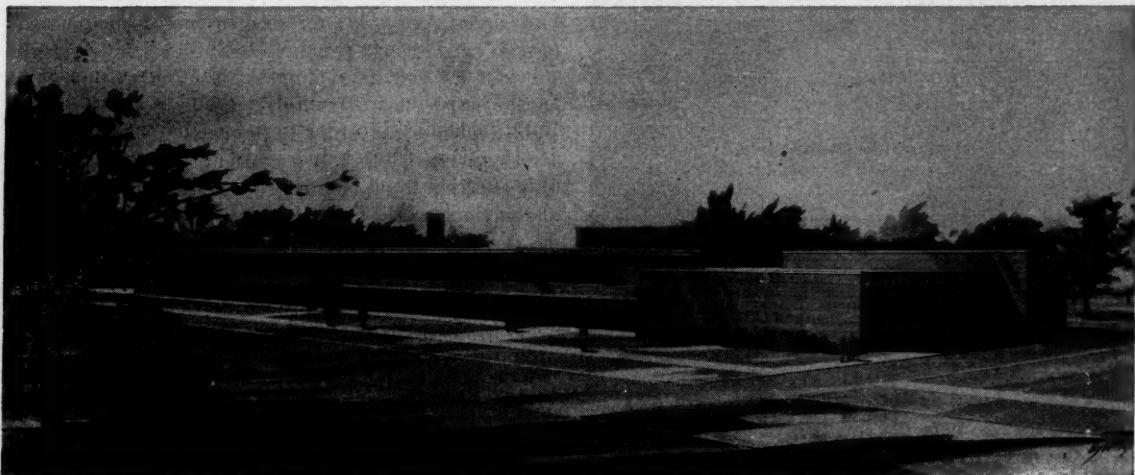
The Christian school combines everything in its curriculum that belongs to the Christian education of a child. The general education here is not secular, but has as its very center "the eternal and supernatural dimension, and the categories of creation, sin, judgment, grace, and life everlasting," which a public school must omit. This does not render the general education ineffective, but gives it the greatest possible effectiveness. The heart of the Christian school is its daily, thorough course in religion—the religion that the parents of the children and their

particular churches believe and confess. Yes, it is the same religion that also the teachers and the pupils profess. This makes church, home, and school of the same faith.

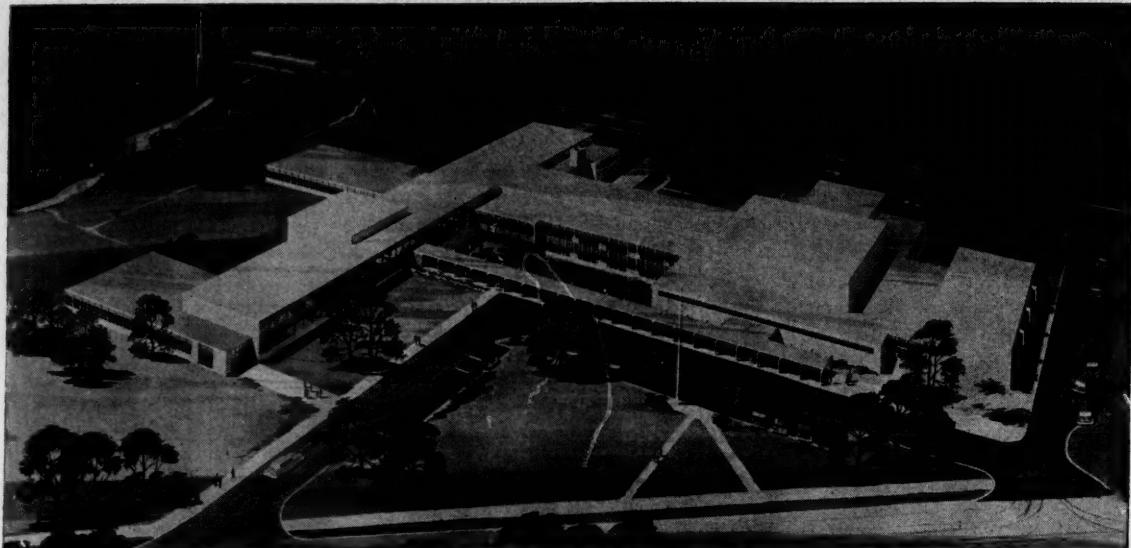
Frankly, like the churches which maintain them, the Christian schools teach with great conviction and emphasis that creedal religion which the public schools must avoid; but it is only through their particular denominational teachings that the churches and their schools can exert their spiritual influence on the individual and through him on all other units of society. While the multiplicity of religious faiths is deplorable, each church, also through its schools, is intent upon making of its children the best pos-



A fine example of a modern, church-supported school of today. Luther High School, of North Chicago.  
Dedicated September, 1953.



The Luther High School North Addition, with a capacity of 1,200 students. Dedicated May 26, 1957.



The new Lutheran High School of the Missouri Synod.

sible Christians, and that is a real service also to the nation; for, as Daniel Webster said, "Whatever makes men good Christians, makes them good citizens."

However, church-related schools should not look upon training for good citizenship as simply a by-product of Christian education. It should be a main objective. The curriculum should include elements that definitely and positively train for citizenship in a free democracy like that of the United States. The church-related school should at the same time guard

against presenting anything in its program of religious training that would obviate the appreciation and acceptance of the responsibilities of citizenship in our democracy.

The churches can be expected to continue their wholehearted support of public education, which is a civic necessity and has been such a great boon to our nation in the past; but some denominations will, at the same time, maintain also their own schools for the sake of thorough Christian training.

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## Religion in the School Curriculum

[By permission of the General Secretary of the Board of Christian Education, the following resolution concerning religion in the public schools, adopted by the General Assembly of the Presbyterian Church in the United States of America, on May 14, 1957, is reproduced for the consideration of the readers of LIBERTY: A Magazine of Religious Freedom. What is here given in full was Part II of the resolution adopted, the resolution in general being entitled "The Church and the Public Schools." Part I dealt with the public schools "Among Free Peoples," and presented the mission and function of the public school in a free society. Part II is reproduced herewith. Part III, entitled "Parochial and Other Weekday Schools," stressed the importance of religious education, and urged that parochial schools maintain the proper high level of education. Part IV, a "Two-Way Conversation," and Part V, "Challenge to Presbyterians," contained appeals to Presbyterians to support religious education as a function of the church.—ED.]

**W**HAT SHALL BE the religious dimensions in the experience of children and of youth in the public schools? In order to define the position of the Presbyterian Church in regard to the public school, this question must be answered. The secular spirit of the modern world has entered all human institutions. In the present state of personal and national uncertainty and insecurity the concerned public turns to any and all sources for answers and correctives. Organized religion and education have been brought into full view. This implied faith in these two institutions is symptomatic of the esteem in which their potential is viewed. The depth of sincerity of a confused populace in quest of meanings is still largely unassessed, perhaps because a part of our problem is caused by a changing cultural pattern. Few doubt,

however, that a pragmatic age is placing heavy demands upon the *one* common institution, the school, to find solutions for all social ills. School boards and administrators know full well this attempt by so many who insist that the schools become "all things to all men." Pressures come from those who would use the schools for a selfish purpose, and from those who want the schools to assume almost complete responsibility for the development of the total life of the pupil. Those who expect the school to accomplish the "whole" task of education too often overlook the dominant place of home and church in shaping the personality of the child.

#### The Charge of "Godlessness"

It is doubtful whether the charge of "godlessness," sometimes hurled at the public school, is understood in its full implication by those who voice dissatisfaction, using this term. Some feel that because a school does not teach a particular belief, proclaim a specific theological tenet, nor yet engage in a certain religious exercise, such omission is evidence of its godless nature. We believe it must be remembered that the inclusion of an overt observance of religion does not necessarily provide any institution with a dynamic religious character. The real motivation of religion, in addition to its divine origin, receives its strength from persons who live as those "committed." It is important, therefore, that the real implications be assessed. Who are the pupils and who are the teachers in the public schools? Are they godless? How do they live with each other? Perhaps answers to these questions, coupled with a knowledge of what actually takes place in the classroom, might go far to alleviate fears.

We object therefore to unwarranted criticism heaped upon the schools without adequate understanding of the position that the schools hold in the structure of our society. Lack of understanding of their front-line importance and ingratitude for the deep dedication of the average schoolteacher who clings to profound respect for the child, home, and church have led to the voicing of the reckless charge of "godlessness" in the public schools. Without attempting to stifle legitimate evaluation of the service of the schools, we object, however, to criticism which stems from any of the following causes:

1. Forgetfulness that a vast number of public-school administrators and classroom teachers are devoted to the church and loyal to the place of religious conviction in the lives of children and their parents.
2. Paucity of knowledge that much material of a religious nature is at present receiving respectful treatment in many schools.
3. Occasional narrow sectarianism which would seek to use a "captive audience" for its own ends.
4. Defensiveness of parochial education and its growth.

5. Unwillingness to share with public-school people the heavy responsibilities of providing financial assistance and counsel to assure sound policy.

6. Indifference to the discovery of improved ways and means of correlating the guidance services of the community, including those of the schools and the churches.

#### Issues Involved

In defining the dimensions of religious experiences in the classrooms of our public schools, the issues lie in the following controversial areas:

1. The interpretation of the established principle of separation of church and state.
2. Differing theological positions on the nature of knowledge and of learning.
3. The interrelation of curricular materials and methods of the public schools as they may or may not relate themselves to religion.



A. DEVANEY

Teachers should be free to express their reliance upon a personal religious faith, provided that they do not attempt persuasion within the classroom toward any ecclesiastical loyalty or religious profession.

## **Areas Where the Dimension May Be Defined**

**1. Moral and Spiritual Values.** Challenged by the concern of the people, public-school educators have analyzed the structure of the schools and have reminded the public that the schools are dealing with fundamental human values. Using the term "moral and spiritual values," educators have assured the public that the schools are constantly facing the children with choices and that the standards held before children and youth for making these choices are consonant with the principles enunciated by our religious heritage.

We commend the school leaders for this analysis and encourage their efforts in holding these values before our children. We recognize that this sharpening of the attention of the schools to values in human relationships, in personality development, and in the relationship of the child to the universe in which he lives sharpens the obligation of the church to teach its children that all values stem from God, revealed through Christ.

Unless the church accepts this challenge to instruct its youth in the divine origin of all values, we foresee the danger of a drift toward a pseudoreligious position in which the values of human relationships implementing our religious beliefs become the central core of belief to the exclusion of reverence for God as known in Jesus Christ the source of all human values. Since, due to the sectarian nature of such instruction, the schools cannot supply this central core, we maintain that the Presbyterian Church along with those of other persuasions must supply their own instruction in the areas of revelation and of grace.

Such encouragement to the schools in their treatment of moral and spiritual values, coupled with the challenge to the church to nurture religious faith, does not destroy the effectiveness of either, but it does heighten the need for improving channels of communication between church and school. We point out once again that Protestants must always be on guard against what might happen if sectarian teaching were imposed upon the schools of America.

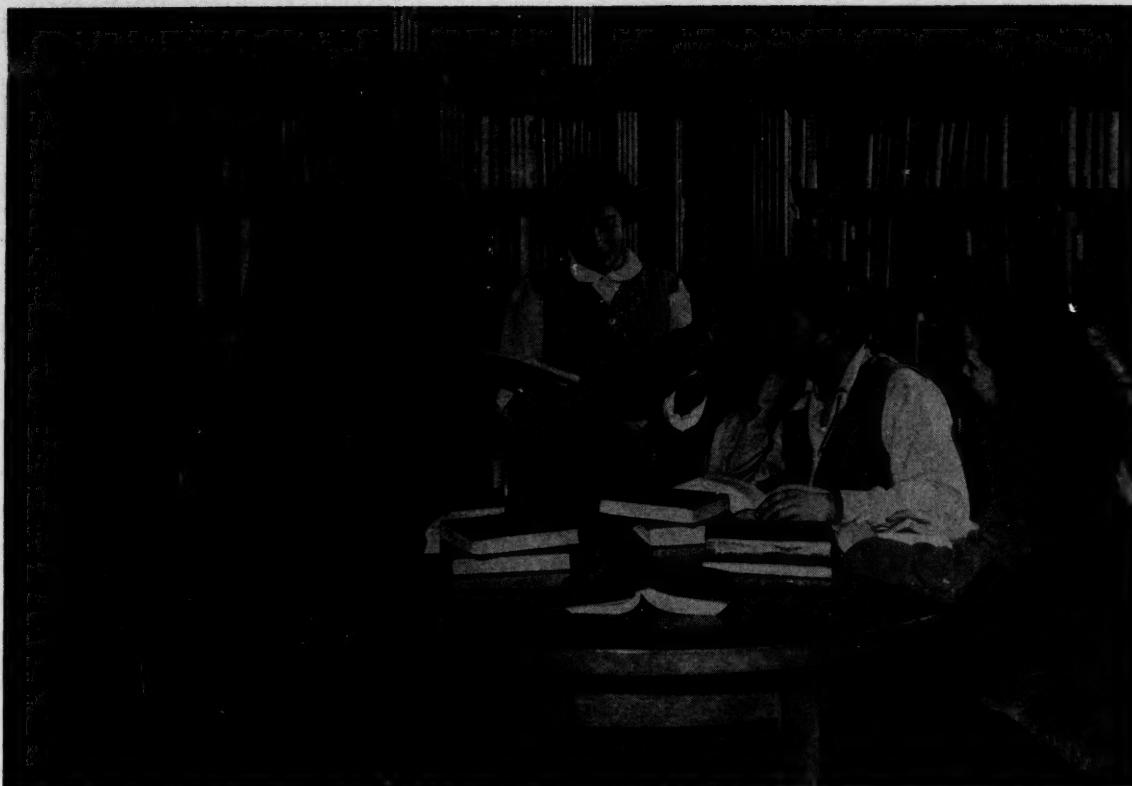
In short, we must never betray the genius of the public schools, nor yet be mesmerized by the fatal assumption that the church can delegate its responsibility to any institution in order to make up for the prevalence of religious illiteracy. We hold that the home, the church, and the synagogue must share fully in processes of refining and supporting the general attempts of the school in recognizing the value of religious attitudes as applied to its regular school subjects and in its other areas of nurturing child growth.

**2. The Common Core or Residuum of Common Agreements.** We believe that a "common core" or residuum of religious belief agreeable to all faiths

as a basis for teaching is insufficient and misleading; that religious commitment arises in a specific and concrete religious community, highly articulate, and never abstracted into common elements. As Presbyterians we believe that human relationships derive their meanings from God as known through Jesus Christ and nurtured through the sacraments and through teaching within the fellowship of the church. Although other denominations may hold belief in a core of faith that is different, most, even within that difference, hold to a faith in a transcendent God to whom we owe our highest allegiance. The highly specific beliefs and convictions derived from this central position are incompatible with a "faith of synthesis." While we neither expect nor desire any teacher to indoctrinate any form of sectarianism, neither do we countenance the teaching of devitalized "common faith" as a proper substitute for highly specific religious belief. We encourage the schools, therefore, in emphasizing the religious heritage of students, but we reject the assumption that such an emphasis can be the answer to our quest for adequate religious education for our youth.

**3. Religious Sources and References Found in the Traditional Curricular Material.** In the content of the public-school curriculum we find yet another area where a religious dimension must be defined. We point out that such traditional curricular fields as art, history, literature, music, and science deal with our religious heritage and our religious concepts. We hold that religious illiteracy is not congenial to the philosophy of general education nor in keeping with guidance practices that take into account the total needs of the child. We, therefore, join with responsible professional educators in their search for new and improved means of recognizing the importance of religion within regular academic subjects. We believe it reasonable, and the part of honesty, that teachers interpret points of view other than their own with fairness, at the same time that their own points of view are acknowledged. Such teaching would thereby give recognition to the place of religion in American culture as imparted through knowledge in such school subjects as art, the earth sciences, literature, music, and the social sciences, as well as the general counseling practices. The school should properly acquaint the student with general religious differences and contemporary beliefs, while at the same time guaranteeing that no attempt be made at indoctrination or for the calculated purpose of achieving a specific commitment.

We insist that in the presentation of subject matter, as it relates to the heritage of our people, the religious implications and the cultural significance of the Judaeo-Christian tradition cannot be ignored in effective teaching. We insist that the political guarantees of religious freedom and the principle of sep-



MERRIM, FROM MONKMEYER

Lack of understanding of their front-line importance and ingratitude for the deep dedication of the average schoolteacher, who clings to profound respect for the child, home, and church, have led to the voicing of reckless charges of godlessness in the public schools.

aration of church and state do not require the elimination of the religious backgrounds of our heritage. It is our conviction that the literacy and understanding that are required to support a free society demand an educational philosophy that frees instruction from controlled censorship and that requires the explanation of all points of view. It is also our belief that this freedom is consonant with the Reformed faith, which claims freedom of conscience and personal commitment to Jesus Christ as the guide for one's belief. We believe that such freedom to explore and to develop the inquiring mind may be enhanced within the scope of the checks and balances provided in public control emanating from a pluralistic society.

We hold that sound and objective scholarship, equal or superior to those characteristic of other teaching areas, must accompany any attempt to introduce a religious dimension into any teaching field.

*4. The Influence of Religiously Motivated Educators.* We commend to our people teachers who express religious conviction in their lives. Teachers should be free to express their reliance upon a personal religious faith, provided that they exercise no license to attempt persuasion within the classroom toward any ecclesiastical loyalty or religious profession.

Since careful studies indicate that character and behavior change are not always highly correlated with verbalization, we hold that the attitudes and appreciations of religiously motivated teachers, interpreted through action, bring support to the values necessary for good conduct and moral living.

We, therefore, urge our church to exercise its influence in persuading young people to enter teaching as a Christian vocation. In such an exercise of influence we hold to the principle that no church or denomination should attempt to stamp its specific sectarianism upon the schools by placing its teachers in the classrooms; we do urge that all religious faiths and denominations exercise this same influence to the end that our schools may be enriched by teachers of religious backgrounds stemming from all the various pluralistic divisions of our society.

*5. The Religious Implications of the Guidance Functions of the School.* We note with favor that guidance officers in many public schools are cognizant of the importance of religious motivation in the lives of the pupils whom they counsel. We urge that guidance counselors be familiar with the basic tenets of the several faiths to which the youth of their schools adhere. We further urge that they acquaint themselves with the personnel and the coun-



EWING GALLOWAY

We ask that counselors, in dealing with religious matters, be completely impartial to all religious faiths, despite their personal commitment, and that the integrity of the belief held by each student be highly respected.

seling services of the various churches of the respective communities. We ask that counselors, in dealing with religious matters, be completely impartial to all religious faiths, despite their personal commitment, and that the integrity of the belief held by each of the students, and in the homes represented in the school enrollment, be highly respected.

We further insist that a "climate" favorable to the development of private belief be preserved; that pupils receive encouragement through school channels to pursue insight into their own faith under the leadership of their parents and their religious leaders.

We also insist that the child adhering to a specific set of religious beliefs or holding to little or no belief be alike respected. The school is a natural setting within which the child can "live his faith," as exemplified by himself, his parents, pastor, and teacher.

*6. Cautions and Conditions.* In presenting the preceding dimensions of religious experiences for youth in the public schools, we note the following cautions and conditions:

*a.* We warn that careless planning and premature projection of religion into the school curriculum may discredit a worthy purpose and may violate provisions of State or Federal constitutions.

*b.* We suggest that geographical and community differences will allow wide experimentation.

*c.* We encourage continued examination of the issues involved in these religious dimensions through national, State, and local studies, conferences, commissions, seminars, and workshops, as well as within the councils of the several faiths and denominations.

*d.* We urge that the philosophical structure of the educative experience be constantly re-examined; that in its testing, the values man has derived from God continue to find expression and not be eliminated at the whim of any "naturalism" held to be the "only" philosophy of life.

*e.* We urge once again that Presbyterians join with all other faiths and denominations in a concern as to what would happen if sectarian teaching were imposed upon the schools of America.

We therefore are determined to encourage educators to work for a carefully defined religious dimension in the public schools which embodies the preceding concepts and safeguards, recognizing that implementation must be slowly and carefully approached and that the fundamental principle that there shall be no establishment of religion by government be preserved.

Schools themselves must produce the design without pressure from any religious group.

# Church Seminaries in the State of Utah

By J. B. CURRIER

[*Mr. Currier, a resident of Salt Lake City, has had for some years opportunity of observing the method used by the Latter-day Saints in relating the teaching of their doctrines to the public school system. It does not seem to be in accord with the principles upon which either the McCullom or Zorack cases, concerning the teaching of religion in the public schools, were decided by the Supreme Court of the United States.—Ed.*]

FOR A NUMBER OF YEARS the Church of Jesus Christ of Latter-day Saints has operated a system of seminaries in Utah. These are for the purpose of providing religious instruction, especially to young people of their faith who are attending public schools at the high school level. These seminaries are generally across the street or close to a public high school, and students are given permission by the public school authorities to attend them during school hours on a released-time basis.

The rule of the Salt Lake City Board of Education regarding such religious instruction reads:

"Upon the written request of parents, the principals of the Salt Lake City high schools are authorized and directed to release students to attend classes in religious education to the extent of one class period per day."—*Rules, Regulations and Administrative Policies of the Board of Education of Salt Lake City*, sec. B, art. 1, par. b, ed. 1f, 1948.

In 1956 the Latter-day Saints Church endeavored to arrange for credit to be extended to its students for work they complete in seminaries. On July 12, Drs. Ernest L. Wilkinson and William E. Barrett, of the Latter-day Saints Church Board of Education, appeared before the Salt Lake City Board of Education at its regular meeting and presented the following resolution, which was designed to accomplish this:

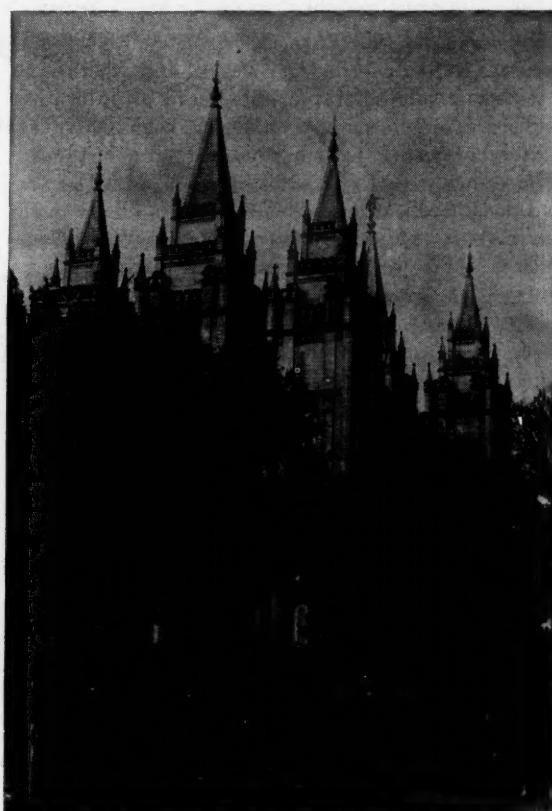
Be it resolved that: Credit for Bible History and Literature taught in private schools to the extent of one unit, will be accepted by the High Schools of Salt Lake City toward filling the requirements for graduation, provided such subject has been pursued for the same length of time and with the same thoroughness required for the same credit in any other subject, and provided further that the teacher of such subject shall have full high school certification or its equivalent. (From a *Report* submitted by Judge Rulon W. Clark, of 504 City & County Bldg., Salt Lake City, Utah, in a letter of December 4, 1956, to Mr. Le Grand P. Backman, president of the Salt Lake City Board of Education.)

The Board of Education approved a motion that this matter be referred to the Teacher and School

Work Committee for further study, and whatever recommendation they would see fit to give.

Before proceeding with the story of this attempt to obtain credit for instruction in Bible history and literature, we feel that it should be noticed that for all practical purposes, if this were granted, it would actually result in granting credit for instruction and training in the doctrines of one individual church, regardless of which church organization were involved.

The courses in the Latter-day Saints seminaries are doctrinal. Let one case illustrate the fact. On May 18, 1941, one student was issued a Certificate of Graduation for work completed in the Latter-day Saints Seminary at Richfield, Utah. This particular student reported that the first year's course consisted



WOLFGINGER PHOTO

Church Temple of the Church of Jesus Christ of Latter-day Saints in Temple Square, Salt Lake City, Utah.

of a study of New Testament history. This was followed the next year by a course in Old Testament history. The third year features a course in the history of the Church of Jesus Christ of Latter-day Saints. The fourth year included a course in comparative religions. Naturally, as the student concerned has reported, the views of the Latter-day Saints Church were presented in each of the courses. To climax the program of seminary activities, all the eligible students were taken from Richfield to the Latter-day Saints temple at Manti to be baptized for the dead, which required the major part of a day. This was followed by the graduation program, which was given in the home of one of the teachers, and included a tea party, during which time the Certificates of Graduation were given out.

Bearing in mind from the above story the general type of program being conducted in these seminaries, let us now come back to the events connected with this proposed resolution. When the Teacher and School Work Committee of the Salt Lake City Board of Education received the resolution, proposing to give public school credit for the seminary religion courses, they gave it considerable study. Paul F. Royall and Judge Rulon W. Clark, members of this committee, studied this matter for some time, and finally asked the Board's attorneys, Marr, Wilkins and Cannon, of Salt Lake City, whether the resolution was vulnerable to legal attack, and whether as a matter of administration the Board of Education could give credit merely on a certificate from the Latter-day Saints seminary system. After a number of meetings with President Wilkinson, Mr. Barrett, and the Board's attorneys, the attorneys finally made their report to the Teacher and School Work Committee, which we quote here in part.

The report is divided into two headings in the form of questions:

1. Is the resolution in and of itself free from legal attack?
2. As a matter of administration may the Board of Education give credit merely on a certificate from the Latter-day Saints seminary system? (Report of Paul F. Royall and Rulon W. Clark of December 4, 1956, on file in the offices of the Salt Lake City Board of Education.)

Regarding the first question, the report stated:

It occurs to us that if adopted the resolution should have added to it "and upon the same scholarship evaluation as that" following the word "thoroughness" in the fifth line.—*Ibid.*, p. 1.

It also stated that—

it is our opinion that credit may be given for Bible history and literature if all of the requirements of the resolution are strictly carried out. It must be kept in mind that the practice must be in accordance with the resolution. . . . If any religious or sectarian doctrines or teaching are in fact injected into the classroom study the teaching will not be in accordance with the resolution and there will be a violation of the constitutional and statutory provisions.—*Ibid.*, p. 2.



KEYSTONE

**The Church of Jesus Christ of Latter-day Saints seminaries are generally across the street from or close to a public high school, and students are given permission to attend them on a released-time basis.**

We come now to the second question. The report here emphasizes the importance of a complete separation of church and state, which it states is the only consistent stand to take for the general good of all. In part, the report states:

As heretofore noted the resolution which you propose to adopt makes no reference to the teaching of religion and our opinion on the first question assumes that no more than Bible history and literature will be taught.

The Federal and State constitutional provisions are then referred to, which are followed by the conclusion that—

no church shall dominate the state or interfere with its functions, no public money or property may be appropriated or applied to any religious worship or for the support of any ecclesiastical establishment, schools must be free from sectarian control and there must be no religious instruction in any schools of the state. The question is as to the administrative duty of the Board of Education to see that these provisions are carried out.

Possibly the most significant and revealing part of this report is the following statement:

However, it is our opinion that in the instance of Latter-day Saints seminaries which are not accredited high schools and which are conducted in conjunction with your own high schools on a released-time basis that it is the administrative duty of the Board of Education to see that the classes are properly conducted under the Federal and state law and that scholastic standards are maintained. . . . The same rules with regard to supervision of regular high school teachers in other classes should apply to seminary

teachers. A class of Bible literature or Bible history for which credit is given must be entirely free from religious or sectarian doctrine the same as any other class for which credit is given. Students of whatever denomination or with no religious faith whatever desiring to take Bible literature or Bible history must be able to take such classes and be free from religious instruction. . . .

So far as the question of released-time is concerned we think it does not matter what is taught in the seminaries but when credit is allowed the class becomes a class within the state high school system and must be as free from religious instruction and sectarian control as any class in literature, history or mathematics.

Our conclusion therefore is that the form of resolution with the suggested change violates no state or Federal law. We believe however that in Latter-day Saints or any other seminaries conducted in connection with your own school system on released-time you have the administrative duty to determine that the classes are conducted strictly in accordance with resolution.—*Ibid.*, pp. 3, 4.

President Wilkinson, after hearing this report and discussing it, requested more time so that he could investigate the advisability of having the seminaries

accredited or of having them directly under the administration of Brigham Young University, which is operated by the Latter-day Saints Church. Shortly after this, President Wilkinson became ill and could not pursue the matter further. The Church Board of Education, under Dr. William E. Barrett, then stated that "it is deemed wise that this matter be tabled for the time being." The story was climaxed by the recommendation on the part of the Teacher and School Work Committee of the Board of Education that this resolution be tabled. No credit is therefore at present given in the State of Utah to students for work done in the seminaries operated by the Church of Jesus Christ of Latter-day Saints or for work done during released-time under the direction of any other religious group. But the public school authorities still release high school pupils during regular school hours to attend the seminaries of the Church of Latter-day Saints, to receive religious indoctrination.

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## Roger Williams and Rhode Island's Contribution to Democracy

By CARL R. WOODWARD, Ph.D.

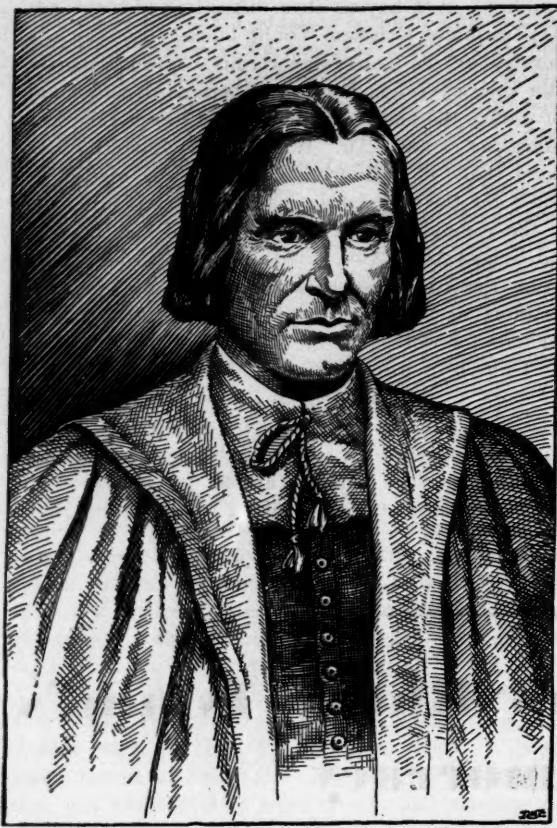
[The address of Dr. Woodward, president of the University of Rhode Island, to the alumni of that institution, of Providence College, and of Brown University, on May 2, 1957, published in the Congressional Record of May 9, is reproduced here by permission, because it sets forth clearly the constructive work of two great men, "in a sense, educators," Roger Williams and Thomas Jefferson, in building a free United States.—ED.]

**T**HIS IS AN OCCASION of unique significance. The alumni of our Rhode Island colleges and universities are gathered with the representatives of our State in the National Congress to pay tribute to the memory of the founder of our State and to commemorate an event in the life of our State which marks a milestone in American history.

It is altogether appropriate that the alumni of Brown University, Providence College, and the University of Rhode Island who live and work in this vicinity should join in this observance. The State of Rhode Island has been described as "a body of water surrounded by educational institutions." Even as the campuses of our colleges at home fringe the shores of Narragansett Bay, here their sons and daughters surround the National Capitol, and an occasion like

this makes us conscious of the role they are playing in the Nation's business. I think we can agree that the alumni of no group of institutions have a more notable cause for such an assembly. For it was no less an authority than the historian George Bancroft who wrote: "More ideas which have become national have emanated from the little colony of Rhode Island than from any other." In the formulation and development of these ideas, Roger Williams played a more vital part than any other of Rhode Island's heroes of peace or of war.

In the light of such a record and such a tribute, you will understand why I consider it a high privilege to be invited to participate in these ceremonies. I associate this gathering in my mind with a somewhat similar experience when, 13 years ago this month, I was asked to be spokesman for a group of scientists and educators at the grave of another pioneer of liberty, Thomas Jefferson, at Monticello. And I am reminded that Roger Williams and Thomas Jefferson, who lived in different centuries, and were so widely different in background and temperament, nevertheless had many points in common.



R. M. ELDREDGE, ARTIST

Roger Williams, champion of religious freedom.

Roger Williams was born in England of Puritan parents about 1603. Soon after his graduation from Cambridge University in 1627, he took orders in the Church of England and went as chaplain to the house of an English nobleman. In that turbulent period of English history, it is not surprising that a young man reared in a Puritan atmosphere should have fretted under the discipline of the established order and protested the formality and the restrictions of the Anglican Church. Soon after his marriage in 1629, he decided to separate from the Church of England, and two years later he came to the Massachusetts Bay Colony.

The crossing of the Atlantic did not change his nonconformist nature. His revolt against the Anglican Church abroad was followed by his revolt against the discipline of the church-state he found in the new land, and in 1635 he was ordered by the Massachusetts general court to depart from the colony. With courageous adherence to principle, he accepted banishment into the wintry wilderness rather than submit to authority that denied freedom to the individual. A refugee from the very haven of liberty he had hopefully sought, he turned to the shores of Narragansett Bay. And in this accident of history (or

was it the hand of Providence?), Rhode Island was born. And the name of Roger Williams, more than any other in the American tradition, has become the lasting symbol of religious and political liberty—twin freedoms given expression in two priceless documents—Rhode Island's Royal Charter of 1663 and Rhode Island's Declaration of Independence of May 4, 1776.

There are numerous things about our Statehouse in Providence that intrigue me—its magnificent architectural design, its massive marble dome, the statue of the independent man, and Gilbert Stuart's portrait of Washington. But to me the feature which stands out above all others is the inscription carved in marble on the facade—the burning words from the royal charter secured through the joint efforts of Roger Williams and his friend, Dr. John Clarke:

"To hold forth a lively experiment—that a most flourishing civil state may stand and best be maintained with full liberty in religious concerns!"

Here was the declaration of religious liberty which found expression in the founding of Rhode Island and Providence Plantations.

Hand in hand with religious liberty is political liberty. In this instance the seeds of religious liberty a century later yielded, as their fruits, political liberty. On May 4, 1776, the General Assembly of the Colony of Rhode Island and Providence Plantations meeting in Newport adopted an act of separation from the British Government, declaring in part:

Whereas in all States existing by compact protection and allegiance are reciprocal, the latter being only due in consequence of the former; And, whereas George the Third, King of Britain, forgetting his dignity, . . . and entirely departing from the duties and character of a good king—instead of protecting is endeavoring to destroy the good people of this colony, and of all the united colonies by sending fleets and armies to America to confiscate our property and spread fire, sword, and desolation throughout our country—in order to compel us to submit to the most debasing and detestable tyranny whereby we are obliged by necessity and it becomes our highest duty to use every means, with which God and nature have furnished us, in support of our invaluable rights, and privileges; to oppose that power which is exerted only for our destruction.

It is of special interest to us that the person who drafted this great document and moved its adoption was Jonathan Arnold, the great-great-grandfather of the senior United States Senator from our State, the Honorable Theodore Francis Green.

I think of the inscription on the front of our State house, and this passage from our Declaration of Independence as being in the same category with the words of Thomas Jefferson encircling the statue of that great patriot in the Jefferson Memorial here in Washington, "I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man."

We think of both Williams and Jefferson, each in his own peculiar way, as pioneers in carrying the torch of liberty to the frontiers of the New World; each was an architect in building the structure of American democracy. Both were rebels against tyranny—Jefferson against tyranny over the mind of man; Williams against tyranny over man's spirit, his soul, and his conscience. Williams created a sensation when in 1644 he published his *Bloudy Tenent of Persecution*; Jefferson became an advocate basically of the same cause when, while serving in the Virginia Assembly during the Revolution, he drafted the Statute of Virginia for Religious Freedom. Historically, in the popular tradition, Jefferson is identified as the founder of democracy, spell it with or without a capital letter as you will. Williams, on the other hand, though living a century earlier, has been described as "the irrepressible Democrat."

Both were concerned with the welfare of the common man; both worked to raise the status of members of a less privileged race. Williams for months at a stretch chose to live with the Indians, enduring the hardship of the primitive wigwam, better to understand and to aid the red man toward a richer life. Jefferson, though heir to the institution of slavery, despised it, and all his life sought to ameliorate its vicious influence. In 1778 he introduced in the Virginia Assembly and secured the passage of an act to prohibit the importation of Negro slaves into Virginia.

Both Williams and Jefferson, in a sense, were educators. While living with the Indians, Williams made a special effort to learn their language, and his *Key to the Language of America*, printed in London in 1643, seven years after the founding of Providence, was the first book on the Indian language to be published in English. Williams knew that literature is basically the story of life, and he knew that any education of the Indians would have to be done in terms of the common denominator of language. While apparently the major purpose of this classic work was to provide an avenue for reaching their souls, the book, which became widely used as a manual, proved to be an effective instrument for the encouragement of trade. By this means also Williams sought to promote permanent peaceful relations between the Indian and the white man, but in this his hopes were only partly realized. Furthermore, as founder of the Baptist denomination, Roger Williams gave impetus to a religious movement which produced one of America's nine colonial colleges, the College of Rhode Island, now Brown University, chartered in 1764.

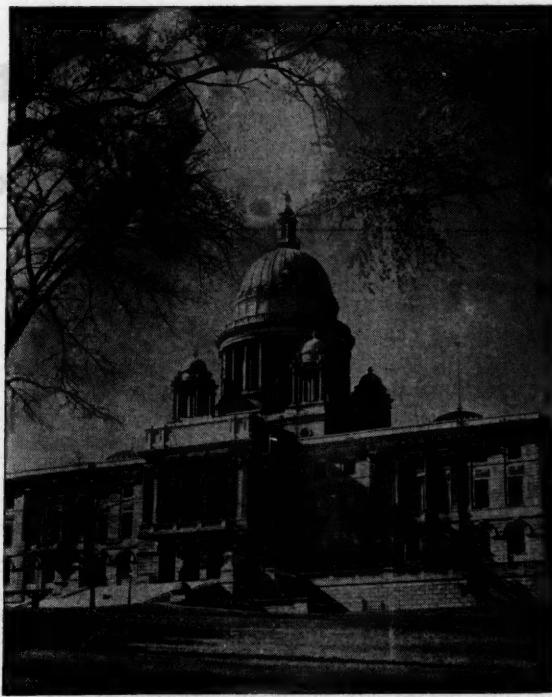
A century and a half later, Jefferson's contributions to education reflected some of the same elements, but took a different form. His *Notes on the State of Virginia* published in 1785, was a classic

which described the resources, both economic and human, of the Old Dominion, comparable in a way with Williams' *Key*. A graduate of the College of William and Mary, America's second oldest colonial college, Jefferson became the father of the University of Virginia, an achievement which he seems to have valued above that of the Presidency of the United States itself.

It is one of the unique coincidences of American history, but not surprising, that the colony founded by Roger Williams should have taken the lead in severing the ties with the Crown, and that the Newport Declaration of Independence sponsored by Jonathan Arnold, should have antedated by two months the famous Declaration at Philadelphia penned by Thomas Jefferson.

To what extent Jefferson's career was influenced by the life of Roger Williams is not clear. I have been unable to find any record of Jefferson ever having referred specifically to Roger Williams. It is a fair surmise, however, that directly or indirectly the latter's writings and example may have played a major role in shaping Jefferson's philosophy.

Here and there one detects a striking similarity between some of Williams' writings and certain passages in the Declaration of Independence. For example, Williams asserted that "the sovereign, original, and foundation of civil power lies in the people"; "a people may erect and establish what form of government seems to them most meet for their



WARD ALLAN HOWE, FROM EWING GALLOWAY

State Capitol at Providence, Rhode Island.

civil condition"; and "such governments as are by them erected and established, have no more power, nor for no longer time, than . . . the people . . . shall betrust them with." Government thus was to Roger Williams the agent of the people, created by them to serve the common weal, and endowed only with such powers as by them granted.

"God requireth not an uniformity of religion," wrote Roger Williams, and throughout his life he defended the right of all men to worship as they might please. Not the power of government, but only "the Sword of God's Spirit, the Word of God, could be used with any hope of success against error."

The parallel course of the two men's careers extends also into the realm of statesmanship. Williams served as President of the Colony of Rhode Island and Providence Plantations; Jefferson was governor of Virginia before becoming President of the United States. Williams, the untiring advocate of democracy and undivided freedom, was also the practical statesman and man of affairs. He it was who, through peaceful negotiations, secured a generous grant of land from the Indians, then sought and obtained from the English Parliament a charter confirming to the inhabitants title to the land and the authority

to form a government. During its early years the settlement at Providence managed its affairs on the basis of his proposals for government, and when the four settlements in Rhode Island organized a federal commonwealth in 1647 they did so under his guidance.

In thus bringing the four settlements into one colony, Williams demonstrated the principle that liberty and union go hand in hand—that liberty can be preserved and guaranteed only through the strength of concerted thought and united effort. Hence, in the example of colonial Rhode Island was the seed of the national motto *e pluribus unum*. Herein also was demonstrated the great principle of "Liberty and Union" immortalized by Daniel Webster in this very hall, a principle which was put to its most crucial test nearly a century ago. Refined in the crucible of the War Between the States, it remains our surest rule of action in discharging our God-given responsibility of the present day to preserve, protect, and defend the institutions of democracy for the sake of freedom-loving people everywhere.

In this mission the courage and the devotion of Roger Williams and of the Rhode Island patriots who followed him will ever be an inspiration to our highest endeavor.

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## America's Silent Revolution

By C. STANLEY LOWELL, M.A., D.D.

IT IS UNFORTUNATE that one of the most epoch-making changes ever to confront this Republic is proving to be difficult of discussion. A change of large dimensions needs both debate and discussion to establish its validity or to prove its unwise. Particularly is this true in a democratic regime where changes occur, not by fiat, but by the slow kindling of sentiment through the body politic.

My purpose is not so much to take sides in this argument as to show that it is an argument. I should like to establish for this issue legitimacy of debate.

The change to which I allude is the abandonment of a long-standing American tradition. Sometimes referred to as separation of church and state, this tradition has denied tax funds to churches. Today a strong trend has set in toward church financing from

public funds. If the trend continues, we may look for a definite shift from voluntarism to public compulsion in this area. We may, many of us, live to see the day when all activities of the church, including payment of the salaries of the clergy and the cost of building and upkeep of edifices, will be supported by State subsidy.

The reason so profound a change in our culture cannot be discussed is simple. It is because religion is so popular. To oppose governmental grants to churches is made out to be the same as opposing religion. The change is therefore taking place by default. Opposition is almost stilled. Churches are already receiving generous grants from tax funds, and these grants stand to be substantially increased within the foreseeable future.



**Ever since the adoption of the Bill of Rights—the first Ten Amendments to our Federal Constitution—it has been basic with us that churches should subsist by the voluntary gifts of their communicants.**

Why should we try to deceive ourselves? Use of public funds for church support involves a drastic change in our entire cultural pattern. Ever since the adoption of the Bill of Rights—the first Ten Amendments to our Federal Constitution—it has been basic with us that churches should subsist by the voluntary gifts of their devotees. Church activities were one thing that tax funds would not and could not be used for. The legal basis of this denial lay in the First Amendment itself. It provides that Congress shall pass no law regarding "an establishment of religion" or "prohibiting the free exercise thereof." This means, certainly, that no church or churches are to have state promotion, but that all churches are to be perfectly free to operate, and at their own costs. The First Amendment thus provides the key to the free situation in which the American churches have functioned and thrived.

The First Amendment is the basis of our "separation of church and state." This phrase does not appear in the Constitution itself. It was coined by Thomas Jefferson, and first used by him in a letter to the Danbury Baptist Association of Connecticut. Through the years the courts have elaborated the kernel idea of separation as contained in the First Amendment. In the Everson case, for example, the United States Supreme Court held that church-state separation meant at least these things: Neither a State nor the Federal Government can set up a church. Neither can pass laws that aid one religion, aid all religions, or prefer one religion over another. Neither can force attendance at or absence from

church. No tax can be levied to support any religious activities or institutions. Neither a State nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations, or vice versa.

Not only was this the law; it was the feeling of the people. It represented the country's thinking on the church-state issue. The nature of the State constitutions, which were being framed and approved as the nineteenth century unfolded, makes this perfectly clear. Practically all of these constitutions had a typical "separation section," which spelled out the drafters' thinking. These provisions were, of course, what statesmen took the Federal Constitution to mean. The provision in the constitution of the State of Illinois is typical of those in many State constitutions:

Neither the General Assembly nor any county, city, town, township, school district, or other public corporation shall ever make any appropriation in aid of any Church or sectarian purpose, or to help support or sustain any school, academy, seminary, college, university, or other literary or scientific institution, controlled by any Church or sectarian denomination: nor shall any grant or donation of land, money, or other personal property ever be made by the State or any such public corporation to any Church or any sectarian purpose.

In language like this many State constitutions undertook to define what church-state separation meant. Whatever else was involved, this much was crystal clear—that no tax money was to go to churches.

Sectarian subsidies, still prohibited by our basic laws, are being paid today in ever-enlarging amounts.



Consider one instance—the Hill-Burton Act, which provides Federal funds for "nonprofit" hospitals. \$141,057,000 has gone to church hospitals since this act became law. It can, of course, be argued that a church hospital is not a church. Yet all churches are repeatedly on record that their hospitals are integral to their mission. If this were not so, they would not have them. A church hospital represents a church operation just as truly as one of its orphanages, or one of its homes, or one of its sanctuaries, or one of its mission centers.

An even more expensive venture in Government financing of churches is now in prospect. This is in the field of education. Leadership in obtaining public funds for church schools has been taken by the Roman Catholic Church. This is a logical development, since this church has the largest church school system in the country and has begun to find the financial load rather heavy. The bishops of this church declared in a statement, November 21, 1944:

[The church-related schools] . . . have full right to be considered and dealt with as components of the American educational system. . . . The students of these schools have the right to benefit from those measures, grants or aids, which are designed for the health, safety and welfare of American youth, irrespective of the school attended.

The argument is simplicity itself. The Roman Catholic Church is educating such-and-such many children. Therefore it is carrying such-and-such a percentage of the nation's burden of educating its youth. On the principle of "distributive justice" this church should receive its percentage of the tax funds that go to educational purposes. Specifically, this would mean that since Roman Catholic schools educate about one tenth of the total school population, this church's "share" of the tax funds expended on education would be one tenth. The bishops would no doubt be the first to acknowledge that the Lutherans, Episcopalians, Adventists, and other churches maintaining parochial schools should receive each its "share." They should remember, however, that school taxes are paid, not for education, but for *public* education, and that if they wish to operate an educational system to achieve objectives other than those of the State, they should do so at their own charges.

Here, again, it can be argued that a church school is not a church. The argument is even less impressive than in the case of the hospitals. Why do churches have schools? They have them, obviously, to further their cause. They have them to indoctrinate their youth with their own theology. They have them to keep their own youth true to their faith, and to win others to it. That is the purpose they have and that is the purpose they ought to have.

As we have seen, the American tradition that denied public funds to churches is being rapidly abandoned. There is a feeling that we need more religion. We must have higher moral standards, more spiritual

values. We must overcome juvenile delinquency. Religion is the answer. Then how shall we get more religion? Why, obviously, by buying it, and paying the bill. And who will buy it? The Government, of course, for the Government can and does buy everything and pay for everything. Who would oppose the spending of Government money for something so clearly necessary to the nation's welfare as religion? Only cranks, secularists, or atheists. This is the chain of logic neatly slipped around the neck of anyone who has misgivings on the subject.

There is a rotten link in this chain of logic. In the interest of fair play it ought to be identified. It is the assumption that Government funds will surely produce moral and religious persons when turned over to churches for their avowedly good purposes. That assumption has not yet been proved. As a matter of fact, a good case can be made for the proposition that churches which are thus able to use the state as an instrument of power are not spiritually edified thereby.

A moment ago I quoted the separation clause of the Illinois Constitution, which makes it painfully clear that no church or church-related enterprise was ever to receive Government funds in that State. The men who drafted the Illinois Constitution were in no sense antireligious. They would have been horrified at the suggestion. The preamble which they placed just ahead of the separation pronouncement contains these devout words:

We, the people of Illinois, grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this constitution for the state of Illinois.

Secularist? No, indeed!

One thing that was no doubt clear to the framers of the Illinois Constitution was the practical difficulty of establishing religion in the State. With an extreme plurality of faiths, which one or which ones would be given State property and money? This could not be done for all, but where would the lines be drawn? If any lines were drawn, and they would have to be drawn, some people would be forced to support churches in which they did not believe, while no benefit would accrue to their own. This appeared to be a highly dubious use of the taxing power.

The framers of this constitution had something more in mind than the practical difficulties, however. Why should tax funds be denied to churches? Because they were convinced such funds would do them no good. Why should state sponsorship or establishment be denied to churches? Because the state's kind of power could not produce vital religion. When our fathers cut off the churches from state funds, and used most drastic language to keep them



cut off, they never thought of themselves as handicapping or limiting the churches. What they had in mind was just the opposite. They were encouraging religious faith. They were giving it the most profound stimulus they knew—freedom. They were setting religion free from the sponsorship and control of the state, which had so often inhibited it in the past. The church—each church, every church—was free to make its converts, collect its funds, and grow and expand and develop, just as far as its inherent strength would permit. Our fathers believed in the spiritual sufficiency of religious faith. All it needed was a free situation. It must have that; it ought to have that. More than that it did not need and could not stand.

Once upon a time there was a theory of economics called *laissez faire*. It said that all government should do for business was to loose it and let it go. It did not need subsidies, or bribes, or encouragement, or control. Just keep hands off and let it roll. The men who separated church and state in our constitutions had an analogous idea. What did religion need most from the state? Money? No. Compulsion of worship? No. Persecution of dissidents? No. Official favors? No. What the church needed most from the state was to be let alone. If the state could do that and keep on doing it, religion's own indigenous powers would keep it vital and strong.

In the complexities of a mechanized civilization *laissez faire* has become absurd. Have changing circumstances likewise outmoded our forefathers' belief about church-state separation? Or is religion made of sterner stuff than Adam Smith? Is there in religion some perennial vitality, something *sui generis*, that can continue to exist and develop apart from the state's support?

I believe this question is discussible. I believe there is something to be said for the principle our fathers so devoutly cherished, and I believe that one should be free to say it without cries of "Secularist" or "Bigot" being heard.

We write this now, not to argue the case, but only to establish the propriety of the argument. Perhaps, however, I may venture to indicate my own sympathies by tossing in a few leading questions. Religion is about the only thing left that the state does not run. Is there a value in that? Is there a helpful influence the churches can exert on the state that they could not exert if they were officially tied up with it? What will be the long-run effects of public financing on the independent status of the churches? Are those who denounce the state for threatening a monopoly of education consistent when they ask state funds for their own educational system? There are many such questions to be raised. There ought to be no scandal in raising them.

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## The Fruits of Freedom

By HARRIETT P. CRANK



OF EVERY TWO PILGRIMS who stepped ashore from the *Mayflower*'s small boats, one died before the spring of 1621.

That any of them lived through the second winter to make their trial of religious freedom in America was indirectly the result of now almost-forgotten acts of other men of other faiths, men who loved freedom for others, whether Christian or not, as well as for themselves—and the perfidy of one man who did not.

That man was Thomas Hunt, a sea captain.

In 1615, five years before the Pilgrims landed, Thomas Hunt was in command of one of Capt. John Smith's ships that explored the waters of the North Atlantic coast for fisheries. Captain Hunt had a desire for money, easy money. He knew other ways of getting it than by catching codfish and mackerel.

Although it was against orders, Captain Hunt

took captive twenty Pawtuxet Indians. He planned to sell them into slavery.

Spain, Hunt felt, would be a better market for his bronze-skinned slaves than England, where Smith would be sure to hear about it. So it was at sunny Malaga he offered the unhappy captives for sale.

Unluckily for the captain, there were men in Malaga who loved freedom enough to protest violently. They were dark-robed friars, who had the insight to see that as long as any man, be he Christian or not, were enslaved, no other man could be really free. Besides insight, the friars had courage. Captain Hunt found himself obliged to release the Pawtuxets.

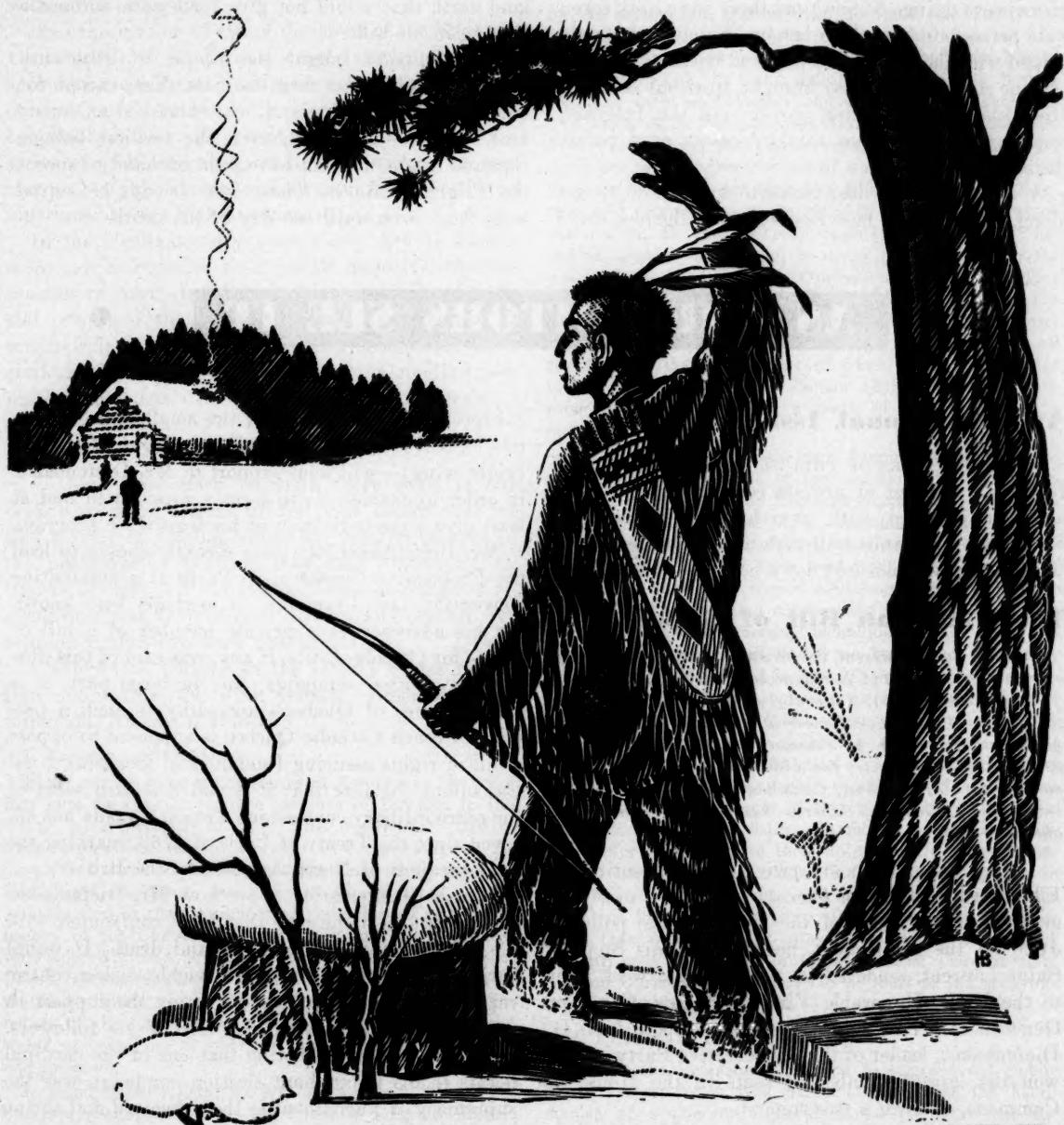
In this group of red men, wild creatures of the almost endless American forests, suddenly set down in the old and exacting culture of Europe, was an Indian called Squanto.

Bright-eyed, quick-witted, not only was Squanto a curiosity, he himself was curious. Quick to learn, he was taken into the employ of a British merchant who took him to London. There he learned to speak English. There he also learned the kindness of the English people, their strengths, and their weaknesses.

Eventually Squanto was sent to Newfoundland in the company of another sea captain, Thomas Dermer, who was employed by Sir Ferdinando Gorges. Early in the year 1619, while the Pilgrims were still at Leyden, studying their maps and planning the *Mayflower* voyage, Squanto set out with Captain

Dermer for Cape Cod, but left him before reaching there, and made his way to Pawtuxet.

After a long absence, Squanto, the Pawtuxet Indian, was back in his native land. And free. Undoubtedly he was one of the most traveled and knowledgeable native Americans of his day. There was nothing to presage the far-reaching importance of the Indian's liberty as he slipped out of sight and into the forests. Dermer could not know that taking Squanto home was undoubtedly one of the most magnificent actions of his life, nor that Squanto would come out of the gloomy forests as the savior of



HARRY DAERG, ARTIST

Squanto came to Plymouth early in the year and not only helped with the unpleasant business of burying the dead but also brought spiritual comfort.

a new race of liberty-loving people, and possibly one of the greatest teachers who ever lived.

Historians are agreed that except for the good services of Squanto the Pilgrims could not have survived the first year. He served as their adviser and confidant.

It was by no idle chance he knew English, for had he not traveled and worked in England, and seen the Tower of London? It is not unlikely that he was fully aware of the persecutions the Pilgrims had undergone in their homeland.

Squanto came to Plymouth early in the year. Winter held a death grip. The poorly nourished Pilgrims were dying. At one time there were only seven well persons in the entire group. Squanto not only helped with the unpleasant physical business of burying the dead but he also brought spiritual comfort. He spoke of the coming spring and the fragrant, waxy pink flowers that would blossom even before the snows were gone.

A child of the wilds, Squanto knew how to get along. He was the best adviser the Pilgrims could

possibly have had. He taught them how to grind corn and how to make hominy. His recipe for lumpless corn-meal mush is the same one most housewives use today.

Squanto showed the Pilgrims how to capture the sweetness of the maple tree, and that first cherished sugar was sweet to their tongues. He taught them the ways of the woods, where the turkeys roosted high and the deer slipped like shadows through the trees. He bade them wait for the second spring and would not let them waste their seed in the too-early promise of the first warm days. He showed them how to dig for clams, and to woo the reluctant New England earth that would not give forth corn without a herring in the hill.

What Squanto taught the people at Plymouth made it possible for them to exist. Yet, except for men of Spain and England, who cherished an innate love of freedom for all, even the lowliest savage, Squanto might well not have been on hand to succor the Pilgrim Fathers. Their true friend, he stayed with them even until the day of his death.

## AS THE EDITORS SEE IT

### An Educational Issue

READERS OF THIS ISSUE will notice that it features a number of articles concerning education, as it is involved with church-state relationships. School administrators will wish to take particular notice of the principles laid down herein. F. H. Y.

### The Canadian Bill of Rights

[*Canada has at present no formally stated national bill of rights (see LIBERTY: A Magazine of Religious Freedom, Second Quarter, 1955). Naturally, with the recent inauguration of the Progressive Conservative Party as the ruling parliamentary power in Canada, interest is aroused as to what the prospects are for a bill of rights under the new government. Mr. Michael, Canadian representative of the International Religious Liberty Association, discusses the question.—Ed.]*

AFTER TWENTY-TWO YEARS of continuous Liberal administration Canada now has a new government. As a result of the defeat at the polls on June 10, the government, headed by Louis Stephen Saint Laurent, tendered its resignation a week later to the Right Honorable Vincent Massey, Governor General. His Excellency then called upon John G. Diefenbaker, leader of the Conservative Party, which won the largest number of seats in the House of Commons, to form a government.

Unfortunately, the Conservatives did not win a clear majority of the 265-seat House of Commons. It

is expected that supporters of two small, splinter parties—C.C.F. (Socialist-Labor) and Social Credit (right wing)—will lend support to Mr. Diefenbaker in order to enable him to form a government and at least give some indication of his legislative program.

Mr. Diefenbaker, who was recently chosen to lead the Progressive Conservative Party at a nominating convention last December, is perhaps best known for his advocacy as a private member of a bill of rights for Canada. Little, if any, was said of this during the election campaign, due in large part, it is said, because of Quebec's antipathy to such a proposal. French Catholic Quebec is supposed to oppose a bill of rights assuring fundamental freedoms to all Canadians for fear that it would diminish some of the extraordinary concessions French Canada has enjoyed since the Treaty of Paris of 1763, marking the final conquest of North America by the British.

It will be interesting to see how Mr. Diefenbaker approaches the issue now that he is confronted with the exigencies of political life and death. It would hardly be fair to expect him to tackle such a controversial issue when he does not enjoy the support in the House of a working majority of his followers. However, it is worth noting that one of the cardinal points in his triumphant election campaign was the supremacy of Parliament as the safeguard and shrine of all liberty for the country. His denunciation of the Liberal government's abuses of certain Parliamentary

traditions and practices appeared to have been effectively communicated to the electorate prior to the polling day. For many years he has been known as a stout defender of personal liberty and the rights of minorities.

A recent speech by Chief Justice Patrick Kerwin, of the Supreme Court, might hold a clue to the possible solution. Speaking in Boston, the Chief Justice praised the role of the law and the courts as guardians of freedom and social stability. This remark has caused some to observe that perhaps the Supreme Court and not Parliament will provide Canadians with a bill of rights.

An examination of recent decisions of the Supreme Court tends to lend considerable credence to this speculative comment. Particular note should be made of the Court's action outlawing the notorious Quebec Padlock Law. In recent years there has been a series of judicial rulings that when viewed in context point up the extent to which civil rights have been buttressed by the highest court.

In the Parliamentary system any Act of Parliament can be repealed by a simple majority, whereas a series of court decisions builds up a body of judicial precedent that is not disposed of so easily. It might well be that the strongest guarantee of basic civil rights will be vouchsafed to the Canadian people by the courts.

DARREN L. MICHAEL

## The Churches Speak Up

FROM TIME TO TIME there come to our desk reports of actions of religious bodies that we find worthy of placing before our readers because of the praiseworthy position they take concerning religious liberty, and the independence of religious institutions from Government support and control. We reproduce here two such resolutions:

Presbyterian Church in the United States resolution adopted at the 97th General Assembly, Birmingham, Alabama, 1957:

### I. Freedom of Worship

Early settlers came to the shores of America in the belief that here they might enjoy a measure of freedom in fulfilling the aspirations of their inner convictions. One of these aspirations was to worship God according to the dictates of their conscience without fear of molestation. The gospel encourages and supports this right of man to worship God as their conscience directs them. Early in the history of the Christian Church the doors of the Church were opened to *any* person who believed in the Lord Jesus Christ, without further qualification. The manifestation of the Holy Spirit on the day of Pentecost symbolized the nature of the Christian Church with respect to those who would comprise her membership, and share in her worship and program.

A noted constitutional lawyer has written: "Of all the liberties, perhaps the most important is religious liberty. A government that coerces its citizens in the domain of the spiritual will hardly hesitate to coerce them in the domain of the temporal. If it will direct how they shall worship,

it will certainly direct how they shall vote. Certain it is that religious liberty is the progenitor of most other civil liberties. Out of victory in the struggle for freedom to worship as one's conscience dictates came victory in the struggle for freedom to speak as one's reason dictates. Freedom of the press came from the struggle for freedom to print religious tracts, and freedom to assemble politically can be traced to the successful struggle for freedom to assemble religiously. Even procedural liberties incident to our concept of a fair trial grew largely out of the struggle for procedural fairness in heresy and other religious trials." (*The Liberties of an American*, Leo Pfeffer, Beacon Press.)

Freedom of worship is more than a right to one's private views and devotions; it is a right to express them in organized public assemblage, to publicize the Church's faith by the written and spoken word, to make converts, to instruct children, to apply that faith to the whole of life. This right is denied many of our fellow believers behind the Iron Curtain, in many nations predominantly Roman Catholic, such as Colombia and Spain, in Mohammedan territories, as in Saudi Arabia. Our own Westminster Assembly in forming our Confession of Faith felt bound by Scripture to make this freedom of worship specific: "Saints by their profession are bound to maintain an holy fellowship and communion in the worship of God, . . . which communion, as God offereth opportunity, is to be extended unto *all* those who, in *every* place, call upon the name of the Lord Jesus." (Confession of Faith, Chapter XXVIII, Paragraph II; see also 1 John 1:3; 3:16-18.) The General Assembly, therefore, urges that its members pray that this fundamental freedom become available to all people, that the Department of State exert its influence toward that end, and the Roman Catholic hierarchy receive upon its conscience a sense of responsibility for mutual tolerance.

Within the bounds of our own Assembly there seems to exist a striking example of the violation of the right to worship. Members of the Koinonia community near Americus, Georgia, state that their communal life is not primarily a social or agricultural experiment but an experience in worship. They have professed their allegiance to this nation, they have denied affiliation in any subversive party, they have violated no laws and have made a significant contribution to farming techniques in this area. Yet because their experiment knows no barrier of color they are treated as enemies of society. Their property has been strafed, dynamited, and burned; their children maligned, their lives jeopardized. Even worse, many "respectable" citizens of the area have joined in an economic boycott designed to destroy their financial stability and drive them to ruin. The General Assembly would remind the citizens of this area of the danger of trying to destroy those who dare to live by their Christian convictions, even though they may differ from them in their opinions. The General Assembly commends all Christian individuals and groups in Georgia who have spoken out so strongly against this denial of freedom of worship. Other examples might be given from other areas of attempts to destroy freedom of worship as a basic right of all Americans. The Assembly calls on Christians everywhere to be alert to this grievous threat to freedom of religion.

### II. Freedom to Learn

It is in the Protestant tradition to support the public school system for a free public education as the handmaiden of democracy. Ignorance and prejudice are the weapons of tyranny. Yet we find our school system in jeopardy. There is a shortage of qualified teachers, buildings are inadequate or obsolete, indecision reigns as a result

of the Supreme Court decision. This condition shall continue unless we give the teaching profession the respect it is due, and support financially a service we have received too cheaply. Therefore, the General Assembly urges its members to make every effort to maintain an adequate public school system for all elements of its population and to provide proper compensation for its teachers. It commends those teachers who have regarded their work as Christian vocation, refusing more lucrative offers to stay at their positions; those mothers of families who fill the breach during this critical shortage; and those qualified young people who are now training to teach as a Christian service to their community. The General Assembly would call attention to the fact that the Christian faith has never countenanced racial discrimination and that the supreme law of the land required that it no longer be practiced in the public school system. Therefore, during this period of transition every member of the Assembly is urged to work in his own community for an honest and durable adjustment.

### III. Freedom of Speech

The Christian Church advocates the right of free speech even if the idea expressed be wrong. Freedom of speech involves the right of dissent; yet of late America has been compelled to struggle for this right both within and without her own borders. The fear of Communism has bred suspicion and distrust which is injurious not only in arresting creative thinking but in bringing our nation into disrepute among the free nations. The consequences of this fear are still seen in many areas of life whenever the stigma of Communism is put on anyone who dares vary from the customary pattern of society. It may occur in politics, in business, in education, or in the Church. A congressman is not reelected, a school teacher faces investigation, a health officer is dismissed, a journalist is forced to leave the community, a man suddenly loses his credit, and a minister loses his congregation—all because they exercised their right to speak freely. We would reaffirm our condemnation of Communism as a system and deplore the use of its evil methods against our own citizens by our own citizens.

Freedom of speech includes the right to register one's opinion through the medium of voting. While it is deplorable that so many of our citizens fail to exercise their franchise, there are many others who are denied the privilege by devious means, such as severe literacy tests, the use of a poll tax as a prerequisite to voting, concealing information concerning the time and place of registration, economic pressure, and threat of reprisal. The price of this corporate dishonesty is political demagoguery in its worst form.

### IV. Freedom of Assembly

In many parts of the world people have not the privilege of public assembly except as it is sponsored or sanctioned by the State. This condition is to be deplored and feared. Yet in the United States there are areas in which freedom of assembly is seriously restricted. Where there are groups which would meet on a non-segregated basis, the State sometimes stands in the way. Efforts to maintain the status quo in social patterns and to intimidate those who believe in the right of public assembly to discuss mutual social problems have been made by numerous "citizens" groups formed in many states. To strive to carry out the law of the land and to advocate the same is to incur the enmity of these groups. Perhaps it is in the areas of freedom of speech and freedom of assembly that Christian citizens should give primary attention at this time, for people with full freedom to voice their convictions cannot remain fettered.

The second resolution is that of the Seventh-day Adventist Church in Australia concerning financial aid to denominational schools:

The Right Honourable Sir Arthur Fadden  
Treasurer and Acting Prime Minister  
Commonwealth Government  
Canberra. A.Ct.

DEAR SIR:

I am writing today on behalf of the Seventh-day Adventist Church in Australia in connection with a proposal to provide financial aid to denominational church schools.

As a church, Sir, we desire to restate what has always been our position in relation to this suggestion for financial help to church schools, which has been urged from time to time. We further lodge a definite protest to the implementation of any such scheme in Australia. Our reason may briefly be stated as follows:

1. We believe that the State or Government provides an excellent and adequate education in secular studies, without cost to the individual but as a charge upon general revenue to which we all subscribe.

2. We believe that to financially assist or to subsidize any church in the conducting of church schools, where the curriculum, while adhering to secular standards, is largely christianized and Bible and religion is taught as a regular subject, would be a contravention of Section 116 of the Federal Constitution.

3. We believe in the rights of Religious Liberty and the privilege it extends to every man to worship God or not to worship according to the dictates of his own conscience. Therefore, we humbly submit, Sir, that any church desiring to conduct its own educational programme, should be allowed so to do without let or hindrance, but that any financial burden thus assumed must be the responsibility of the church concerned.

As a church, Seventh-day Adventists operate a large number of primary and secondary schools, high schools, and colleges, entirely at our own expense. Therefore, the statements made in this letter come from long experience and due thought.

We trust Sir, that the mature deliberations of you and your officers will decide to withdraw any State aid to denominational church schools.

For and on behalf of The Seventh-day Adventist Church in Australia  
R. E. HARE,  
*Religious Liberty Secretary*

We believe our readers will appreciate these resolutions as high principle and informative.

F. H. Y.

## Free Textbooks

OREGON HAS NOW A LAW granting free textbooks, paid for from public tax funds, to private, including parochial school pupils, as well as public school children.

This is an indefensible grant of tax aid to religious schools, a violation of the First Amendment to the Federal Constitution, and of the Oregon Constitution's Bill of Rights, which provides in Article I, section 5, that "no money shall be drawn from the treasury for the benefit of any religious or theological institution, nor shall any money be appropriated for

the payment of any religious services in either house of the legislative assembly."

It is debatable whether public school funds should be used to send public health and county nurses into parochial schools and to furnish lunches to parochial school pupils. Certainly these are not educational aids, but meet health and welfare needs.

But it is surely not debatable to furnish textbooks to parochial schools, a strictly educational aid. To do so means to take the tax money from Baptists and Presbyterians and Methodists, and use it to aid Catholic and Adventist and Lutheran schools, or whatever the church-related school may be it benefits. It means that in doing this the state is aiding in the establishment of religion. It is unwise, unfair, and unconstitutional.

F. H. Y.

## Graduation Freedom

WE WISH TO SPEAK UP in defense of the twenty-two Roman Catholic students who remained away from a baccalaureate service held in their graduating high school class in Moundsville, West Virginia, when instructed to do so by their parish priest. We regret the concept of religion that made such advice necessary. But a baccalaureate service is a religious service, which these Catholic young people could not conscientiously attend. The school authorities, agents of the state, ruled that the pupils' attendance at this religious service was necessary for graduation. Such a ruling, we hold, no agent of the state has a right to make.

F. H. Y.

## The Connecticut School Bus Case

THE ISSUE OF THE SCHOOL BUS as a public service to parochial school children has become enflamed once more by the Roman Catholic drive for it in Connecticut.

The Connecticut Constitution does not meet squarely the question of the use of public tax funds in terms of the great American principle of the separation of church and state. It simply says, in Article VII, Section 1, that "no person shall by law be compelled to join or support, nor be classed with, or associated to, any congregation, church or religious association." It makes no provision concerning the diversion of public funds for education to private purposes. There was needed therefore in Connecticut only an act of the State legislature to open the way for local option on the question of bus service to parochial schools.

The Catholics began their drive by taking a "census" in communities of heavy Catholic population to discover what proportion of the school children were Catholic and what proportion were attending parochial schools. Then a bill was introduced in the legislature providing that communities might grant bus transportation to school children attending nonpub-

lic schools at public expense if the majority approved.

It is to be noted that in Connecticut, communities were already providing some services to the parochial schools, such as manual training and home economics instruction. It is to be noted, too, that as introduced, the bill provided medical, nursing, and dental care. Paradoxically, these more defensible services (if there is any defense) were stricken out of the measure in the State senate.

The bill passed the Connecticut Senate by a 6-to-1 majority. When it reached the House, it was referred to the Committee on Education, which recommended its rejection. Pressure brought upon the committee members was unavailing.

At this point the Connecticut Roman Catholic hierarchy "showed its hand" openly. Through the *Transcript*, the archdiocesan paper in Connecticut, the church demanded editorially that the bill be brought out of committee for consideration. Charging "politics," it threatened, "A political issue can only be corrected at the polls. This one will be."

As might be expected, the legislature at Hartford reacted. A petition to bring out the bill onto the floor was circulated among the legislators, and quickly received the signatures of a majority. On the intervening Sunday, a letter signed by Archbishop Henry J. O'Brien and the two bishops in Connecticut was read at all masses in every Catholic church in the State, instructing Catholics to "carefully observe" what the legislature did with the bus bill. The threat of political reprisal at the polls against legislators who would vote against the measure, explicit in the *Transcript* editorial, was almost as obvious in the archbishop's letter.

It had its effect. In spite of a weight of citizen mail protesting against passage of the bill, and the objections of a large group of non-Catholic clergymen and laymen (protests made, by the way, much too late and too feebly, as is too often the case of Protestant action for separation of church and state), the bill was put to vote. However, with all the Catholic political pressure, the legislature split exactly on the measure on a tie vote that crossed party lines. Speaker Nelson Brown, Republican of Groton, cast the deciding vote for the bill, and Governor Ribicoff signed it immediately.

We hold that this new bus law is unconstitutional. Even under the inadequate terms of the Connecticut Constitution, it requires non-Catholic taxpayers to support the Catholic school, which the United States Supreme Court in the *Everson* decision, and common observation and experience as well, rates as an institution of the highest importance to the church. The restraints of the First Amendment of the Federal Constitution, applicable through the Fifth and Fourteenth Amendments to every State legislature, forbids public support to religious estab-

lishments, and therefore should be applied as a preventive to the issue before us.

School bus service is a supporting activity of the school, of whatever kind. The school buses are not for general public service. They are operated for educational purposes, and for educational purposes only. On the days the schools are closed, the school buses do not run. Furthermore, they can be considered as "welfare service" only in a very secondary sense, and should not be so classed. For the state to furnish this distinctly educational service to parochial schools at public expense is a violation of the constitutional guarantees of religious freedom, a trespass upon the great principle of separation of church and state, and a violation of the proper sensibilities of millions of American citizens, religious and nonreligious.

The plea is made that the decision of the United States Supreme Court in the *Everson* (New Jersey) bus case in 1947 destroys the constitutional arguments applied to this issue. But the *Everson* case was decided on the narrow ground that New Jersey law does not forbid the reimbursing of parents for the fares paid by their children riding to parochial schools, not on school buses, but on common carrier buses. It was a close decision, narrowly drawn, and we regret that it was handed down, but it *does not* furnish a general precedent for parochial school bus service paid out of tax funds.

Catholic lawyers recognize the limited precedent furnished by the *Everson* case. In an article in the *Catholic Lawyer* for April, 1957, John C. Hayes points out on page 108 that the aid authorized in the *Everson* decision was—

"*indirect* in the dual sense: It was directly extended to the parent and the pupil for the public purpose of assisting them in their discharge of a state-imposed duty; and the aid was not directly related to the essential operation of the parochial school as such. Moreover, the aid was so clearly citizen-oriented that Mr. Justice Black saw that the withholding of such aid on account of the religion of some of the recipients would itself impair a deeper freedom of parent and pupil: the free exercise of their religion."

However, this Connecticut bus case takes us beyond even the vital question of sectarian support from tax funds. It takes us into the ugly badlands of religious pressure in politics. The archbishop of Connecticut has boldly threatened to use the voting power of his communicants, whom he believes he can move politically at his will (and can he not?) to punish by defeat at the polls the Connecticut legislators who voted against his bus bill. There can, of course, be only one answer to this: And answer in kind should be given by every Connecticut citizen, Catholic and non-Catholic, by voting to send back to the Connecticut Legislature every opponent to the bus bill who asks to be returned—and by spectacular majorities in every case.

The Connecticut case has, it seems to us, drawn an unhappy line, and drawn it sharply. The Catholic hierarchy, certainly in Connecticut, has opened up a politico-religious conflict, which fair-minded patriotic citizens in our religiously diverse society have wanted to avoid. We can now see the avenue down which we are marching, the borders planted with the increasing efforts of Catholics to enjoy here, under separation of church and state, the same kind of support by the state which the church has enjoyed for centuries where union of church and state has prevailed.

Furthermore, let Protestants be aware. We have here not the occasional, mistaken acceptance by a church of a governmental favor. Protestants have in instances in this country made that sort of mistake. Rather, we have here a concerted drive by a thoroughly organized and committed group, numbering millions, which at every opportunity demands government favors for its particular interests.

Our readers will remember reports in the public press, and in an extensive discussion in *LIBERTY: A Magazine of Religious Freedom*, first quarter issue of 1956, of the riots in Belgium, which disgraced that peace-loving kingdom, occurring because the grants of the government to Belgium parochial schools were being reduced by a mere one tenth. Are we heading in the United States toward a similar situation?

We think not. We do not believe that thoughtful American Catholics will permit their priesthood to lead them into this sort of situation.

F. H. Y.

## Using the Church Belfry

A BITTER BATTLE LINE is developing across the country between retailers over Sunday selling. Chain stores are combating independents on the fringe of the town who are operating their stores on Sunday. Car dealers on the county side of the line down the road, which are unaffected by the city ordinance, are the target for Sunday law bills that have been introduced in some of the State legislatures. Business has discovered that the church belfry is an effective place from which to snipe at its competitors. Shooting from that vantage point, they are free from any charge of restraint of trade, and their activities assume a religious nature. It is difficult for their competitors to return the fire, for they are immediately classified as religious heretics, or opposed to religious interests.

Some of the clergy see in the issue an opportunity to supposedly abet the cause of religion. Instead, however, the bitterness and animosities that the church is dedicated to help remove from the human heart, will probably be more permanently rooted by this union of forces.

We have no brief for promoting irreligious prac-

tices, but it does seem inappropriate to use Sunday legislation as a means of accomplishing economic pressure. By invoking a secular power to enforce a religious law, men are imposing an unchristian and un-American practice on all the citizens of the State in an attempt to indirectly put pressure upon a competitor. Every effort should be made to avoid rather than kindle the fires that will encourage a new era of witch hunting. The cross is a symbol of sacrifice and not greed. It is a symbol of love and religious freedom and not religious spying and tyranny. Should not the layman and the clergy reserve the church belfry for pealing forth the good news of the gospel freedom?

A. H. R.

## Public Office and the Church

THE PROVISION IN THE CONSTITUTION that there is to be no religious test as a qualification for public office should apply with equal force to political appointments as well as to the selecting of candidates for national election to high office. It would be inconsistent to invoke a constitutional principle in the selection of a candidate and then to expect him to ignore this principle after he has been elected to office. That would be making the Constitution a document of convenience rather than one of principle. It remains a fact, however, that in political circles religious affiliation is too often a basis of decision.

Recently in New York City the mayor was charged with the responsibility of appointing a new superintendent of schools and a new commissioner of hospitals. Stress was brought to bear that Roman Catholics be chosen for these two offices. Two vacancies on the State Board of Education occurred in the State of Vermont. The governor appointed a Roman Catholic as a chairman and, according to the press, his decision was based partly on a consideration which dated back to demands that were made by the Vermont *Catholic Tribune* that their church be represented on the board. Whether the appointment is that of a justice of the United States Supreme Court or a member of a municipal board, it is a violation of the principles of the Constitution to suggest or demand that the appointments be made with religious consideration.

Following one of the national party conventions last year, when opposition appeared in the press to a proposed candidate for Vice-President, because of his religious persuasion, the journal *America* pronounced the opposition as a remnant of prejudice. It contended that "the day of dreary discrimination is over. At times, of course, some one will turn out . . . a musty pocket filled with old soiled prejudice and forgotten hatreds. But today that sort of thing is dated and indecent. The Chicago convention made this luminously clear." This statement denounces the voice of opposition to a candidate because of his re-

ligious convictions, but is silent on any aggressions of their members to exert pressure for political appointments to office.

The evident intent of the Constitution is to place public service above religious privilege or prejudice. It is obvious that when demand is made that religion be a consideration in filling public office, the individual will be expected to use his office to serve his religion. This expectation, if recognized, disqualifies the individual from accepting the appointment.

To play fast and loose with the principles of the Constitution is to do that sacred document an injustice. It also imposes a handicap on the individual and places the political party in disrepute. Further, it emphasizes religious division, which is a deterrent to national unity.

A. H. R.

## The Netherlands Treaty Clause

THE BAN ON PUBLIC RELIGIOUS PROCESSIONS that is expressed in the Netherlands Constitution was recently criticized in the Parliament of that country by a member of the Catholic People's Party. He maintained that the prohibition was out of harmony with the "friendship, commerce and navigation treaty," signed on July 11, 1956, between the United States and the Netherlands.

The purpose of this editorial is not to discuss at length the many merits of the treaty. However, any liberty-loving person recognizes that it is based upon an inalienable right and should have universal recognition. The problem in point is the willingness to use the treaty when it is to a church's advantage, and for the church not to recognize its use when it favors other religious bodies.

In a country such as Colombia that has a concordat with the Vatican, the terms of the agreement are interpreted as giving to the Roman Catholic religion special privileges. (See *Congressional Record*, vol. 103, no. 35, p. 2562.) In Haiti a similar situation exists. The interpretation of its concordat with the Vatican has resulted in special privileges being given to that church. The efforts of the United States to negotiate a treaty of friendship with both Colombia and Haiti have reached a stalemate because of the interpretation given by those countries to their respective concordats.

The question that naturally arises is why an ecclesiastical organization negotiates a compact with the department of any state that results in the restriction of religious freedom. If the friendship treaty serves a good purpose in the Netherlands, it would, as it always has done, render an equal service in Colombia and Haiti. It is to be expected that any Christian denomination would recognize the injunction that "it is more blessed to give than to receive," or apply the principle, "Thou shalt love thy neighbour as thyself."

A. H. R.

## IT SO HAPPENED —

### Bus Transportation

Florida's Department of Education has informed the Nassau County School Board that according to the State statutes, it is unlawful to transport parochial school pupils in county school buses.

A group of Methodists are requesting that the constitutionality of the new Connecticut parochial bus bill be tested. The governor of the State of Connecticut has signed the bill that proved to be one of the most controversial issues in the current assembly, but was finally passed by a House vote of 134-133. The speaker of the House cast the tie-breaking vote.

### Education

The Oregon State Legislature has passed a law legalizing the furnishing of textbooks free, out of public tax funds, for all private as well as parochial schools in the State.

Even though no religious instruction was involved, the New York State Education Commissioner requested a Long Island school district not to place the Ten Commandments in the classrooms. The decision was made following an appeal from a taxpayer in the school district in which he claimed that the interdenominational version of the Ten Commandments was not "in the exact form of any of the religious faiths," and posting them would accomplish nothing and would be "a disservice to religion generally."

### Federal Aid to Private Schools

Wake Forest (North Carolina) College, a Southern Baptist school that has recently accepted a Government grant of \$598,473 for construction of its Bowman Gray School of Medicine, has asked the General Board of the North Carolina Baptist Convention to let a special committee study the problem of whether Baptist institutions should accept Federal aid. The spokesman for the college said this study was sought to set future policy.

### Freedom of Worship

In his address at the dedication of the Washington Islamic Mosque, President Eisenhower said that under the American Constitution and tradition "this

building is just as welcome as would be a similar edifice of any other religion." He added, "Indeed, America would fight with her whole strength for your right to have here your own church and to worship according to your conscience."

### Released Time

A bill to authorize released-time religious instruction for public school students has been defeated in the New Hampshire House by a vote of 216-112. Opponents of the bill charged that it was a "step in the direction of integrating church and state."

### Separation of Church and State

The Central Conference of American Rabbis has stated that the wall of separation between church and state in this country "is becoming increasingly porous." In support of this statement they say that religion in the public schools is the most conspicuous problem in the church and state domain, and also cite the growing practice of erecting religious statues and sectarian symbols on public property. In addition, they noted "a rising tide of popular sentiment" for putting religion in public schools.

### State Aid to Parochial Schools

The governor of Illinois has vetoed an amendment to a school lunch program that would have provided \$4,000 in State funds for school lunches, placing all schools under the same system. This was in effect until two years ago. At that time the State discontinued the specific appropriation for lunches, letting the schools use part of their State funds for the lunch programs. This eliminated private and parochial schools, since they do not receive State aid.

The city board of education in Stamford, Connecticut, has asked the State department of education to rule on the legality of providing health services to parochial school students. Such services have been given for about forty years; however, when the bus transportation bill was passed in 1957, giving transportation to parochial students, an amendment that included health and safety measures was deleted before the bill was adopted and signed.

### Sunday Laws

The governor of Pennsylvania has signed a bill designed to prohibit the sale of automobiles in that

State on Sunday. Such sales have previously been illegal but carried a fine of only four dollars. The new law places the penalty at a maximum of \$100 for the first offense and \$200 for repeated offenses.

The court of appeals in Cleveland has sustained the conviction of an official of a chain store for violating the Ohio Sunday-closing law. For the past 30 years the State's higher courts have upheld all convictions under the Sunday-closing statute.

The Supreme Court of the United States, in an 8-0 decision, rejected an appeal from a New Jersey motor company against a New Jersey law banning the sale of new and used cars on Sunday, saying that the case did not present "a substantial federal question."

A superior court judge at a special juvenile court session in Tacoma, Washington, recently ordered twelve teen-age boys to attend church every Sunday for a full year. In his comment the judge said, "This means fifty-two Sundays."

In an executive order President Eisenhower enjoined the newly appointed high commissioner for the American-occupied Ryukyu Islands, south of Japan, to preserve strictly the religious liberty of the islanders. The inhabitants are predominately Shintoists, and they are to be granted the same basic liberties that are enjoyed by people in democratic countries.

The National Association of Evangelicals has strongly urged the State Department to impose the following five conditions before extending recognition to the new government in Colombia: that so-called "mission territories" be reopened to Protestant missions that have been evicted from these regions; that non-Roman Catholic religions be guaranteed freedom of the press and radio in Colombia; that all religious groups be assured of the right to import books; that the Colombian Government grant freedom to construct Protestant churches "without hindrance or delays after plans are approved by local municipal authorities"; that the Colombian Government restore residence privileges to Americans who wish to enter Colombia for "religious and educational purposes."

At the annual meeting of the Associated Church Press, recently held in Philadelphia, the delegates reaffirmed their opposition to the establishment of diplomatic relations between the United States and the Vatican.

The Pennsylvania Department of Justice has ruled that the State Department may make benefit payments directly to church-sponsored nursing homes for the care of patients on relief. Prior to this action,

relief checks were mailed to the individual who, in turn, gave them to the institution.

The Minnesota branch of the American Civil Liberties Union has announced the formation of a Committee on Separation of Church and State. The committee will deal with "an increasing number of questions involving separation of Church and State in Minnesota."

## ARGENTINA

The Baptist Convention of the River Plate recently approved by acclamation a resolution calling for church-state separation in Argentina. It urged that the question be included on the agenda of the forthcoming National Constituent Assembly, which has been named to revise the Constitution of 1853. The Baptist speakers maintain that church-state separation should provide for "equality for all creeds and complete neutrality in spiritual matters."

## AUSTRIA

The new socialist president of the Austrian Republic announced in his inaugural speech that he would work for a solution of long outstanding problems between the government and the Roman Catholic Church. Two of the major questions are: the state support for Catholic schools, and the present status of the 1933 concordat between Austria and the Vatican.

## BELGIUM

Private contributions are now being made to the Roman Catholic schools in Belgium, replacing the government subsidies that were withdrawn under the Collard bill in July, 1955. [See article in *LIBERTY: A Magazine of Religious Freedom*, first quarter, 1956.]

## CANADA

The Bay of Quinte Conference of the United Church of Canada at a recent meeting adopted a resolution deplored "the constant and unremitting pressure upon our government to appoint an envoy to the Vatican." In the action the conference reaffirmed its opposition to such an appointment.

The Prime Minister of Ceylon has announced that religious bodies will be permitted to open new



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schools in that country. This decision was reached in a special conference including the Ministers of Education and Finance.

## COLOMBIA

Roman Catholic authorities accused Rojas Pinilla of "saerilegious profanations" of churches in his attempt to quell antigovernment riots. The President maintains that he had given instruction that the armed forces while in the performance of their duties were not to approach nearer than one block to any Catholic church.

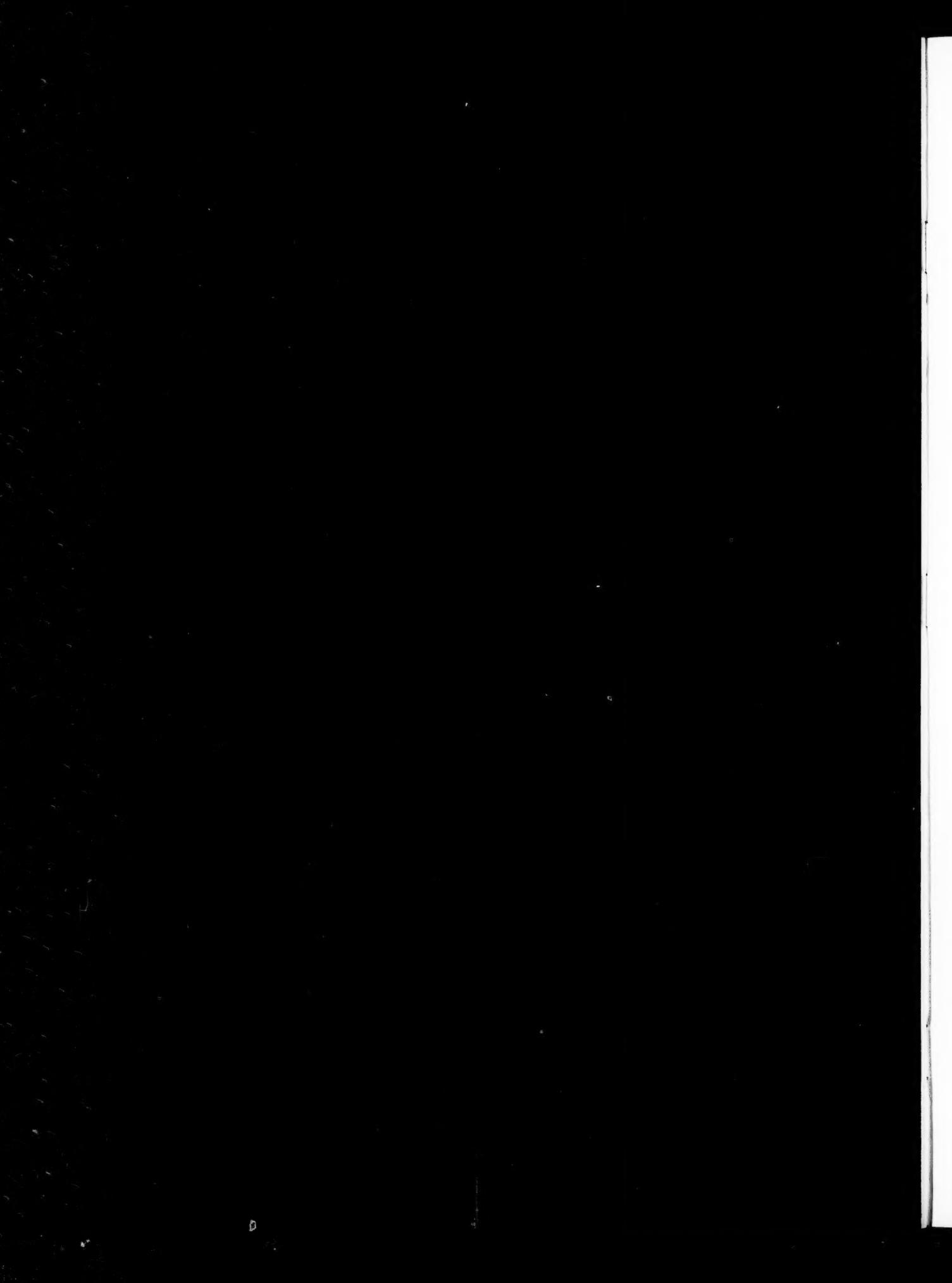
The Prime Minister of Ghana has warned that certain sects will be restricted in their religious activities despite constitutional guarantees of freedom of religion. He specifically referred to those groups who take no part in voting and ignore other affairs of the state.

The Greek Embassy in Washington reports since our previous comment, that the First Evangelical Church at Athens, which has functioned since 1890, requested permit in 1955 to renovate their old building. When it became apparent that the real objective was that of rebuilding, the state authorities requested that a new and proper application be submitted. When submitted, the request was granted and the work of reconstruction is now in progress.

The Philippine Supreme Court has ruled in a case involving the American Bible Society that religious organizations are exempt from municipal permit and license fees.

The Minister of Education has given assurance that the introduction of religious instruction in Polish schools does not mean that the government has given up the principle that the schools should remain secular. He has given assurance that the government will aid in setting up secular schools in any area of the country "where the need arises."



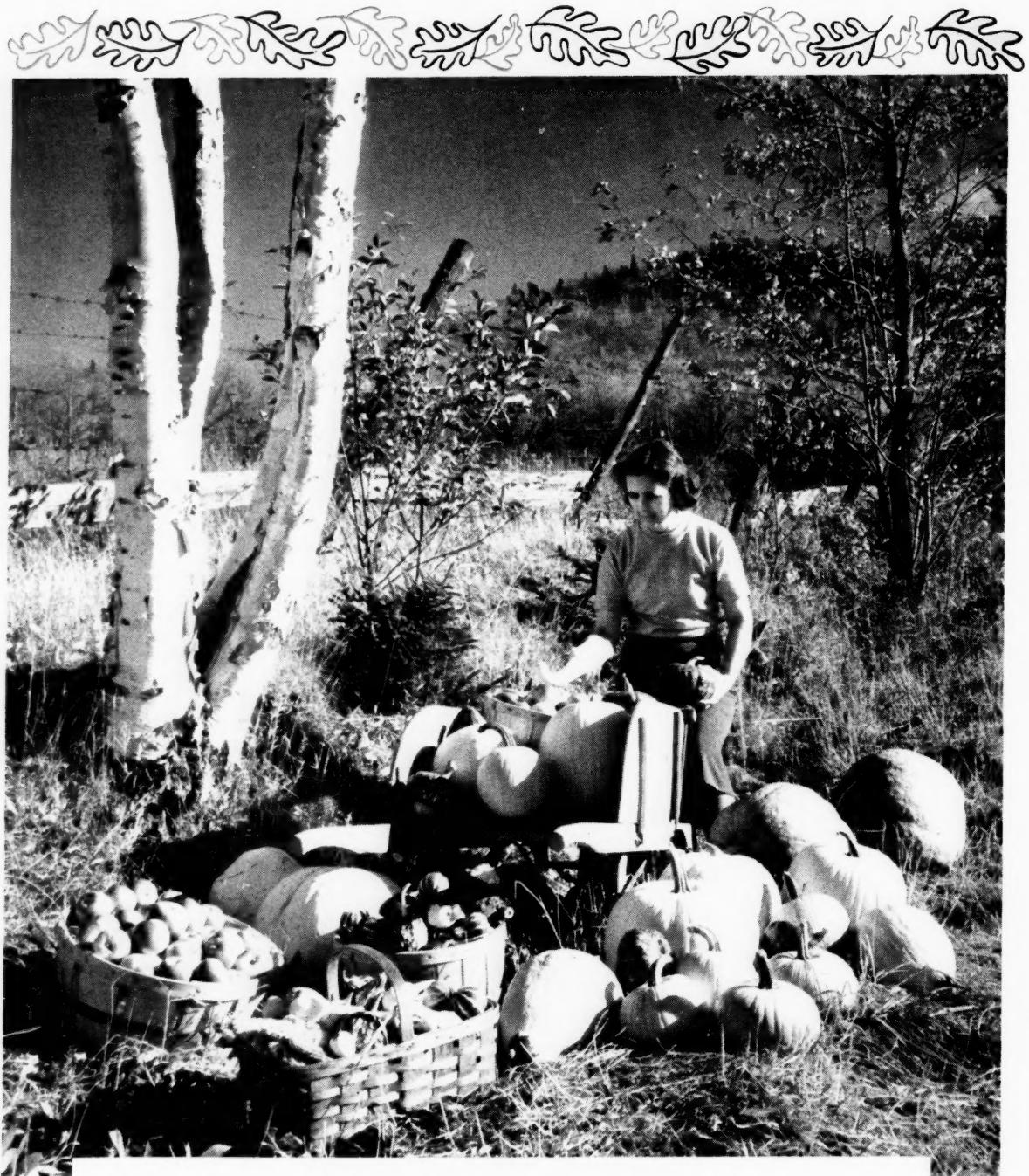




# Separation

NEITHER A STATE nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religion, or prefer one religion over another. Neither can force or influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or for professing religious beliefs or disbeliefs, for church attendance or nonattendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups, and *vice versa*. In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between church and State.' "—*Everson v. Board of Education*, 330 U.S. 1.





W. FOLE  
FROM  
A. DEVANEY

## Would You Be Thankful?

Would you be thankful if you had  
Only a cabin of logs for a home,  
A crude fireplace for draughty warmth,  
And a candle to light the dreary room?

Would you kneel tonight on a bearskin rug  
Before crawling into your pine-needle bed,  
And thank your God with fervent grace  
For the crude bark roof above your head?

Would Thanksgiving be the same to you  
If there weren't a store in a thousand miles,  
And all you loved and held so dear  
Were far away in the British Isles?

Would you like to trade with the Pilgrim band?  
They were thankful for liberty.  
Look up at the Stars and Stripes tonight,  
And breathe your thanks that you are free.

*—Author Unknown*



